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City and County of San Francisco
Board of Supervisors

April 11, 2007

# City and County of San Francisco

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# MEETING MINUTES

## Tuesday, April 10, 2007 - 2:00 PM
## Wednesday, April 11, 2007 - 1:00 PM

## Legislative Chamber - Second Floor
## Regular Meeting

## Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*
*JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| **Members Present:** | *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.* |
| **Members Excused:** | *None.* |
| **Members Absent:** | *None.* |

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum.*

# APPROVAL OF MEETING MINUTES

**Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to approve the March13, 2007 meeting minutes. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# COMMUNICATIONS

*Communication received from former Clerk of the Board, Gloria L. Young, thanking the Board of Supervisors.*

# CONSENT AGENDA

## Recommendations of the City Operations and Neighborhood Services Committee

**061662 [Liquor License Transfer, 83 First Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 7404 Mission Street to 83 First Street to Mark E. Rennie for The Bar Downtown, LLC dba The Bar Downtown, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 168-07

**ADOPTED**

**070228 [County Refugee Services Plan]**

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for federal fiscal year 2006-2007. (Human Services

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Department)

Enacted Number: 172-07

ADOPTED

## Recommendations of the Rules Committee

061695 [Assessment Appeals Boards: expanding Board Two jurisdiction] Supervisor Peskin

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than $20,000,000 to less than $50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

Enacted Number: 79-07

FINALLY PASSED

070122 [Conflict of Interest Code Amendments] Supervisor Elsbernd

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500; renumbering sections 3.1-252, 3.1-265, and 3.1-375 as sections 3.1-255, 3.1-362 and 3.1-252, respectively; deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400, 3.1-423, and 3.1-430; and adding sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457, all to update the list of designated employees who must file financial disclosure statements, to modify the applicable disclosure categories, and to clarify that consultants for each City agency must file financial disclosures in disclosure category 1 unless the agency's director has indicated otherwise. (Clerk of the Board)

Enacted Number: 80-07

FINALLY PASSED

070109 [Settlement of Lawsuit - Harvey John Merk]

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for $135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 76-07

FINALLY PASSED

070293 [Settlement of Lawsuit - Marnie Carter]

Ordinance authorizing settlement of the lawsuit filed by Marnie Carter

against the City and County of San Francisco for $100,000; the lawsuit was filed on March 30, 2005 in San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 77-07

FINALLY PASSED

070294 [Settlement of Lawsuit - Adrienne Hogan]

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for $50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al. (City Attorney)

Enacted Number: 78-07

FINALLY PASSED

070295 [Settlement of Lawsuit - Hattie Finn-Carter]

Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha for $70,000.00 (seventy thousand dollars); the lawsuit was filed on February 13, 2006, in United States District Court for the Northern District of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha. (City Attorney)

Enacted Number: 74-07

FINALLY PASSED

070297 [Settlement of Lawsuit - San Francisco Bay Area Supervisor Peskin Transit District]

Ordinance authorizing revised settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for the principal amount of $2,367,570.

Enacted Number: 75-07

FINALLY PASSED.

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Severed from the Consent Agenda

061513 [Liquor License Transfer, 450 Rhode Island]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1801 San Jose Avenue to 450 Rhode Island Street, and the issuance of a Type 41 on-sale beer and wine eating place license at the same location, to Anthony M. Gilmore for Whole Foods Market California, Inc. dba Whole Foods Market, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

*Supervisor Dufty requested this item be severed from the Consent Agenda.*

Enacted Number: 166-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Dufty

# REGULAR AGENDA

# UNFINISHED BUSINESS

## Recommendation of the City Operations and Neighborhood Services Committee

070085 [Plastic Bag Reduction Ordinance] Supervisors Mirkarimi, Ammiano, McGoldrick, Daly, Sandoval, Peskin, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City and County of San Francisco, and (2) provide penalties for violations.

Enacted Number: 81-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

## Recommendation of the Land Use and Economic Development Committee

070021 [Planning Code Amendment-Landmarking Interiors of Publicly-Accessible Buildings] Supervisors McGoldrick, Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to

members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 82-07

**FINALLY PASSED by the following vote:**

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

# CALLED FROM COMMITTEE

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

*Continued to April 17, 2007.*

**Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

070208 **[Electronic benefit transfers, monthly pay period; deleting payment by emergency check]** Mayor, Supervisors Ammiano, Dufty

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emergency checks.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070254 **[Appropriating $19,884,652 for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year** Supervisors Ammiano, Dufty

**2006-2007]**

Ordinance appropriating $19,884,652 of sources, including $9,443,985 of additional San Francisco General Hospital patient revenue, $5,000,000 of San Francisco General Hospital prior year settlements, $3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and $423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating $1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating $19,884,652 of uses, including $12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, $5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and $2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating $741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to rescind the previous vote.*

*Motion to rescind the vote on this item passed by the following vote:*

*Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

**070296** **[Appropriating $4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]**

Ordinance appropriating $4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

(Fiscal Impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

**070298** **[Airport Commission Declaration of Emergency Contract Pursuant to Section 21.15 of the San Francisco Administration Code]**

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the Transportation Security Administration's Security Directive 1542-06-01B requiring immediate additional screening of materials in the sterile areas of the Airport and approving the contract between the Airport Commission and Primeflight Aviation Services, Inc. (Airport Commission)

Enacted Number: 169-07

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070309 **[Department of Elections Amendment to Current Supervisor Daly Voting Systems Contract]**

Resolution approving the award and execution of a 17 month amendment to an existing contract by the City and County of San Francisco, through its Department of Elections (Department), with Elections Systems & Software (ES&S), for the provision of voting services and the maintenance of the current voting system.

(Fiscal Impact.)

*Continued to April 17, 2007.*

**Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

070328 **[Board Review and Approval of 2007 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]**

Resolution approving the City and County of San Francisco 2007 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)

Enacted Number: 173-07

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendations of the City Operations and Neighborhood Services Committee

070078 **[Healthy Products, Healthy Children Ordinance] Supervisor Alioto-Pier**

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on

toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question related to the regulations concerning Bisphenol-A.*

*Motion to adopt regulations concerning Bisphenol-A passed by the following vote:*

*Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Noes: 1 - Daly*

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070229 [Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law] Supervisor McGoldrick

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 «, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green, white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendations of the Land Use and Economic Development Committee

061214 [Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and

bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061216 **[Zoning - Establishing the Trinity Plaza Special Use District at Market and 8th Streets]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061217 **[Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.]** **Supervisor Daly**

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061688 **[Zoning-Use of Transferable Development Rights (TDRs)]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070194 **[Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]**

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# SPECIAL ORDER 3:00 P.M.

070160 **[Public Hearing - Report of assessment costs for sidewalk and curb repairs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Robert Quan, Department of Public Works, informed the Board that the property owners had paid the sidewalk assessment cost.*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

070161 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by

said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Peskin welcomed, introduced and presented Certificates of Honor to the young people of the San Francisco Peer Court Program.*

*Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Wayne Hemer.*

*Supervisor Dufty welcomed, introduced, and presented Certificates of Honor to Karri Cormican and Hannah Bridgeman-Oxley.*

# COMMITTEE REPORTS

070256 [Supporting attempts in the California State Legislature to overturn the Copley decision] Supervisors Ammiano, McGoldrick

Resolution urging the California State Legislature to uphold the public's right to access misconduct information about public employees by supporting legislation to overturn the Copley Decision.

Enacted Number: 175-07

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

061529 [Residential Inclusionary Affordable Housing Requirements] Supervisors McGoldrick, Maxwell

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to add update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study

obligations; and making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

*Continued to April 17, 2007.*

**Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070262 **[Mint Plaza public improvements on a portion of Jessie and Mint Streets.]** **Supervisor Daly**

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets, including authorization to allow certain specified uses and occupancy in said area, including caf, tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070102 **[Traffic regulations - vehicular closure of Jessie Street between Mint and 5th Streets]** **Supervisor Peskin**

Resolution approving closing Jessie Street between 5th and Mint Streets to vehicular traffic and making environmental findings and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1. (Parking and Traffic Department)

**Enacted Number:** 174-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Sandoval assumed the Chair at 3:52 p.m.*

*The President resumed the Chair at 4:00 p.m.*

# PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues related to the homeless*

*Peter Warfield; expressed concern with issues related to the library*

*Richard Stipman; expressed concern with issues related to profiling by police*

*James Chaffee; expressed concern with issues related to the library*

*Female speaker; expressed concern with issues related to police services*

*John Di Donna; expressed concern with various issues*

*Male speaker; expressed concern with issues related to politics*

*Richard Robinson; expressed concern with issues related to transgender marriage*

# CLOSED SESSION

**Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to convene in closed session. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# CONFERENCE WITH CITY'S LABOR NEGOTIATORS

*CLOSED SESSION*

*The Board recessed at the hour of 4:15 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 5:20 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Clare M. Murphy, Executive Director, San Francisco Employees Retirement System*

*Jim Horan, Interim Executive Director, Department of Human Resources*

*Micki Callaghan, Deputy Director, Department of Human Resources*

*Cheryl Adams, Deputy City Attorney*

*Monique Zmuda, Deputy Controller*

*Kay Gulbengay, Interim Clerk of the Board*

070283 **[Closed Session - Conference with City's Labor Negotiators]** **Supervisor Peskin**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

**Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)*

**Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to not disclose. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# CLOSED SESSION

*The Board recessed at the hour of 4:15 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 5:20 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

070419 **[Closed Session - Public Employee Appointment - Supervisor Peskin Clerk of the Board, Legislative Administrator and City Clerk]**

Motion that the Board of Supervisors convene in closed session to discuss the Public Employee Appointment - Clerk of the Board, Legislative Administrator and City Clerk.

This closed session is permitted by Government Code Section 54957, and the San Francisco Administrative Code Section 67.8.

**Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending public employment appointment.*

**Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to not disclose. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*The following motion was prepared and reported out from the Board of Supervisors.*

070427 **[Appointment of Interim Clerk of the Board]** **Supervisor Peskin**

Motion appointing Kay Gulbengay as the Interim Clerk of the Board pursuant to Charter section 2.117.

**Enacted Number:** M07-45

**Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**070414** **[Proclaiming December 30, 2006 as Tomasa Perez Day in San Francisco.]** Supervisor Sandoval

Resolution proclaiming December 30, 2006 as Tomasa Perez Day in San Francisco

Enacted Number: 170-07

**ADOPTED**

**070415** **[Proclaiming April 10, 2007 as Wayne Hemer Day in San Francisco]** Supervisor Sandoval

Resolution proclaiming April 10, 2007 as Wayne Hemer Day in San Francisco.

Enacted Number: 171-07

**ADOPTED**

**070416** **[City and School District Special Meeting]** Supervisor Dufty

Motion calling special meetings of the City and School District Select Committee of the Board of Supervisors to be held on Thursday, April 12, 2007 at 3:30 P.M. and Thursday, April 26, 2007 at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Enacted Number: M07-49

**APPROVED**

**070430** **[Final Map - 2298 Lombard Street]**

Motion approving Final Map 3917, a 16 Unit Mixed-Use Condominium Project, located at 2298 Lombard Street being a subdivision of Lot 006 in Assessors Block No. 0490 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M07-48

**APPROVED**

**070431** **[Final Map - 1314 Polk Street]**

Motion approving Final Map 3565, a 33 Unit Mixed-Use Condominium Project, located at 1314 Polk Street being a subdivision of Lot 5 in Assessors Block No. 0668 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M07-47

**APPROVED**

070440 [Final Map for Block 10A, Planned Development, Mission Bay South]

Motion approving Final Map Tract 3715, Planned Development, Mission Bay (Block 10A), a one-lot subdivision for Condominium purposes, being a Planned Development of Assessor's Block 8720, Lot 17; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

Enacted Number: M07-46

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Severed fron For Adoption Withouth Committee Reference

070417 [Issuance and sale of tax-exempt bonds - Drew School.] Supervisor Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $11,000,000 to finance and/or refinance various capital facilities owned by Drew School or an affiliate.

*Supervisor Daly requested that this item be referred to committee.*

REFERRED to the Budget and Finance Committee.

# IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved to approve the Purely Commendatory. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate*

*action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070426 **[Commending People Paddle for AIDS]** Supervisor Daly

Resolution commending People Paddle for AIDS for raising funds and awareness towards the HIV/AIDS challenge.

**Enacted Number:** 167-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# OFF-AGENDA LEGISLATION

*Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments*

## Introduced by Supervisors or Mayor

## Ordinances

070450 **[Appropriating $31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007]** Mayor

Ordinance appropriating $32,000,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070451 **[Public Employment - Department of Economic and Workforce Development]** Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

Supervisor Elsbernd dissented in committee.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070452 [Minor Sidewalk Encroachments - Public right-of-way occupancy assessment fee] Supervisor Alioto-Pier

Ordinance amending Public Works Code Section 723.2 to clarify that the public right-of-way occupancy assessment fee for minor sidewalk encroachments applies to specified building permits and to all subsidewalk basements.

4/10/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/10/2007.

070455 [Public Employment and Accept-Expend Grant - Improving Primary Care] Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) - Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of $241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070456 [Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology] Supervisors Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 positions (.125 FTE) in the Department of Public Health (DPH) - AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of $373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070457 [Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services] Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health - Tom Waddell Health Center (DPH - TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of $1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070458 [Appropriating $35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007] Supervisor Dufty

Ordinance appropriating $35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070460 **[Ordering vacation of the Ingleside Path]** Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070462 **[Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]** Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

4/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 04/20/07 - Referred to the Small Business Commission.

070466 **[Public Works Excavation Code]**

Ordinance amending Public Works Code Sections 2.4.44 and 2.4.46 to delete the street restoration fee and amending Section 2.4.55 to require restoration of all affected lanes for the entire block when 25% or more of the block's length is excavated to extend to the time required for backfill, replacement of pavement base, and finished pavement associated with street restoration from 72 to 120 hours; and making environmental findings.

4/10/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/10/2007.

070467 **[Prohibiting the Feeding of Wild Birds, Including Red-Masked Parakeets]** Supervisors Peskin, Dufty

Ordinance amending section 486 of the Police Code to specify that the feeding of Red-Masked Parakeets is prohibited.

4/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070468 **[Public Employment - Recreation and Park Department and Department of Public Works]** Supervisors Peskin, Ammiano, Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 47 positions (3.76 FTE) at Recreation and Park Department (REC) and 20 positions (1.6 FTE) at the Department of Public Works (DPW).

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070475 **[Appropriating $598,615 for staff in the Departments of Recreation and Park and Public Works and COIT Tower Elevator project for Fiscal Year 2006-2007]** Supervisor Peskin

Ordinance appropriating $598,615 of Fiscal Year 2006-07 General Fund Reserve including $115,137 in the Department of Public Works for position

including 1.0 Labor Supervisor, 8.0 Environmental Service Workers and 11.0 General Laborers and $483,478 in the Department of Recreation and Parks for COIT Tower Elevator improvements and for positions, including 17.5 Gardeners, 18.5 Custodians, 8.0 Park Patrol Officers, 1.0 Head Park Patrol Officer and 1.0 Communications Dispatcher for Fiscal Year 2006-2007.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070477 [Zoning Amendment] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1177, Lot 001 and Block 1178, Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2007.

070084 [Shelter Monitoring Committee] Supervisors Mirkarimi, Ammiano

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

1/23/07, RECEIVED AND ASSIGNED to Rules Committee.

4/10/07, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

4/10/07, ASSIGNED to Rules Committee.

070407 [Appropriating $28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Tenants, and housing services for Fiscal Year 2007-2008] Supervisors Daly, Ammiano, Mirkarimi, Dufty

Ordinance appropriating $28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including $20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless; $5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Mayor's Office of Community Development for the Acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

3/27/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

4/5/07, CLERICAL CORRECTION. On page 1 line 9, inserted "are" before "at"; on page 1, line 12, inserted "of" after "Acquisition".

4/10/07, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

4/10/07, ASSIGNED to Budget and Finance Committee.

## Resolutions

**070426** **[Commending People Paddle for AIDS]** Supervisor Daly

Resolution commending People Paddle for AIDS for raising funds and awareness towards the HIV/AIDS challenge.

4/10/07, ADOPTED.

**070454** **[Grant to improve care for patients in San Francisco with anxiety disorders]** Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH - CBHS) to accept and expend a new 24-month grant in the amount of $377,345, from the Mylan Settlement Fund (State of Connecticut, et al. v. Mylan Laboratories), to provide services for patients with anxiety disorders; for the period of June 1, 2007 through May 31, 2009.

4/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070453** **[Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health]** Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $448,967 from the California Department of Health Services, Emergency Preparedness Office, for year 5 of the Hospital Preparedness Program, for the period of September 1, 2006, through August 31, 2007.

4/10/07, RECEIVED AND ASSIGNED to Public Safety Committee.

**070459** **[Vacation of the Ingleside Path]** Supervisor Elsbernd

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070463** **[Requesting additional analysis on the Trans Bay Cable Project and deferring further approvals to permit consideration of alternatives to the project]** Supervisor Maxwell

Resolution deferring further action on the Trans Bay Cable Project to permit the City to analyze more fully alternatives to the Trans Bay Cable Project and the implications of the Trans Bay Cable Project on City electric reliability, energy policy, development of renewables and energy efficiency; and requesting the Public Utilities Commission to provide such analysis so that it can be discussed at a hearing to be scheduled 45 days from the effective date of this resolution.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070464 **[Accept and Expend Federal Funds - Fiscal Year 2006 Lead Hazard Reduction Demonstration Grant Program]** **Supervisors Maxwell, Peskin, Mirkarimi, Ammiano, Dufty**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $3,350,000, which includes controller's costs of $33,500

4/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070465 **[Contract with nonprofit Owners' Association for administration of Fillmore Jazz Community Benefit District]** **Supervisor Mirkarimi**

Resolution approving an agreement with the nonprofit Owners' Association "Fillmore Jazz District Community Association of San Francisco" for administration of the property-based business improvement district known as the "Fillmore Jazz Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

4/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070469 **[CalHome Application]** **Supervisor Elsbernd**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070470 **[Urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.]** **Supervisors Dufty, Mirkarimi, Daly**

Resolution urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070471 **[Commending the organizers of the second annual Poem Under the Dome]** **Supervisor Mirkarimi**

Resolution commending the organizers of the second annual Poem Under the Dome poetry open mic event in City Hall.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070472 **[Opposing SB 893]** **Supervisor Mirkarimi**

Resolution declaring opposition to Senate Bill 893, state legislation that would shift all Proposition 10 revenue away from First 5 San Francisco County to the statewide California Families and Children's Commission.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070473 **[Relay For Life Day]** **Supervisor Peskin**

Resolution proclaiming May 1, 2007 as Relay for Life's Paint Our Town Purple Day; and April 28-29 and July 14-15, 2007 as San Francisco Relay for Life Days in San Francisco.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070474 **[Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]** **Supervisor Peskin**

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearings

070428 **[Relationship between parking, neighborhood businesses and families]** **Supervisor Alioto-Pier**

Hearing on the relationship between parking, neighborhood businesses, and families, including: (1) the amount of parking available to customers and employees of small business; (2) the impact of parking availability on neighborhood small businesses; (3) the impact of parking availability on families; (4) the feasibility of creating a one-to-one parking ratio per housing unit, to help families city-wide. The hearing should also address issues related to neighborhood parking garages including: (1) the regulations regarding use of neighborhood parking garages and the associated revenues; (2) parking garage revenues and expenditures since FY 2000-2001; (3) the number of parking garages built since FY 2000-2001; and (4) the factors that have limited or encouraged construction of parking garages.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070441 **[HIV/AIDS Housing Work Group]** **Supervisors Dufty, Ammiano**

Hearing to discuss the findings and recommendations of the Comprehensive HIV/AIDS Housing Work Group convened by the Department of Public Health (DPH) and mandated by BOS Resolution number 380-06. Department of Public Health (DPH) will present findings in the context of current challenges to HIV/AIDS housing in San Francisco in light of reductions in funding and changes in federal legislation.

4/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Sponsor requests that the item be heard at a special meeting for the Budget and Finance Committee on May 2, 2007.

070445 [Status of the new T-Third Street MUNI line] Supervisor Elsbernd

Hearing on the status of the new T-Third Street MUNI line and its impact on other services.

4/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070446 [Status of DPW's street repaving plans and projects] Supervisor Elsbernd

Hearing on the status of DPW's street repaving plans and projects.

4/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070447 [Laguna Honda Hospital Patient Deaths, State Investigations, Federal Investigations, Citations, and Plans for Care and Procedural Corrections] Supervisor Jew

Hearing to determine whether recently reported patient deaths, the uncommon circumstances of which mandated official inquiry by the Medical Examiner, are being addressed in a manner designed to restore public confidence in the quality of patient care.

4/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070448 [Closed Session with the City Attorney to discuss the Department of Elections' voting systems contracts] Supervisor Elsbernd

Request for a closed session hearing with the City Attorney to discuss the Department of Elections' voting systems contracts.

4/10/07, ASSIGNED to Board of Supervisors. Scheduled for consideration April 17, 2007.

070449 [MUNI route change] Supervisor McGoldrick

Hearing to discuss the problems and implications that the MUNI route change has caused due to construction work at the Veterans Administration Hospital and the lack of public notice given to residents in the area about the route change.

4/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070461 [Hearing - Ordering vacation of the Ingleside Path]

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

4/10/07, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing on _____at _____p.m.

## Motion

070427 [Appointment of Interim Clerk of the Board] Supervisor Peskin

Motion appointing Kay Gulbengay as the Interim Clerk of the Board pursuant to Charter section 2.117.

4/10/07, RECEIVED AND ASSIGNED to Board of Supervisors.

4/10/07, APPROVED.

# PROPOSED ORDINANCES

070418 [Settlement of Lawsuit - Andrew Marconi]

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

3/28/07, RECEIVED AND ASSIGNED to Rules Committee.

# PROPOSED RESOLUTIONS

070390 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
40th Avenue at Geary Boulevard, establishing an All-Way STOP control intersection; and,
Anza Vista Avenue at Baker Street, stopping the stem of this T-intersection.
(Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070391 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM TO 7 PM EVERYDAY - ESTABLISH
5th Street, southbound, onto Mission Street.

CROSSWALK CLOSURE - ESTABLISH
Sagamore Street at San Jose Avenue (Closing the easternmost crosswalk as part of a plan to signalize the existing crosswalk crossing Sagamore Street at

Plymouth Avenue. The westernmost crosswalk will remain). (Parking and Traffic Department)

(3/15/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070392 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Geary Boulevard, north side, from Scott Street to 162 feet west of Divisadero Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2921 Washington Street, south side, between the driveways in front of the main entrance to create four motorcycle parking spaces.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorado Terrace, west side, in front of #41 Dorado Terrace to #79 Dorado Terrace; and,
Dorado Terrace, east side, from #312 to #224 Dorado Terrace (to legalize existing conditions)

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Indiana Street, both sides, between Cesar Chavez and Marin Streets (1600 block);
and,
Indiana Street, west side, between Marin and Tulare Streets (1700 block).

PARKING METERS (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Castro Street, east side, from Jersey Street to 96 feet southerly (eight parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, west side, from Avalon Avenue to 20 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, east side, from Avalon Avenue to 20 feet southerly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
115 Wisconsin Street, east side, from 16th Street to 44 feet southerly (44 foot space,
approximately two parking spaces).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Sansome Street, west side, from Washington Street to Broadway.

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Junipero Serra Boulevard, east side, from 208 feet to 268 feet south of Monterey Boulevard at St. Francis Circle to facilitate an extension of the double northbound left turn lane (60-foot extension). (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070393 **[Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357]**

Resolution authorizing the sale of vacant land under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

3/21/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070394 **[Agreement to Purchase 4-8 Guy Place]**

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of $1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

3/21/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070395 **[Contract funds to support participation in an international HIV/AIDS study]**

Resolution authorizing the San Francisco Department of Public Health (DPH) - AIDS Office, to enter into an agreement with Blood Systems Research Institute (BSRI) and to retroactively accept and expend funds in the amount of $12,192 for a project entitled Retrovirus Epidemiology Donor Study - II (REDS-II) - International; for the period of January 1, 2007 through April 30, 2007. (Public Health Department)

3/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070396 [Lease of Real Property at 1145 Market Street]

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Health Service System. (Real Estate Department)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070397 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]

Resolution approving the 2007/08 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $24,618,026. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070398 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 2007/08 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $943,166. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070399 [Apply For-Accept-Expend Federal Funding - HOME Program]

Resolution approving the 2007/08 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling $8,445,053. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

From: Supervisor Daly
To: Captain, Tenderloin Police Station
Requesting/Inquiring: Requesting information from the Captain of the Tenderloin Police Station regarding "Quality of Life Citations", especially how many of the following were issued during the time period of January 1, 2007, to present. Please provide a "breakdown" of the types of citations issued from the Tenderloin Station. The codes and citation types are:
PARK CODE
PK Code 3.02 - Disobeying a park sign
PK Code 3.12 - Camping in park
PK Code 3.13 - Sleeping in park
PK Code 4.10 - Open container
POLICE CODE
MPC 21 - Drinking in Public
MPC 22 - Blocking Sidewalk
MPC 25 - Trespassing
MPC 33 - Dumping on Streets

MPC 120.1 - Aggressive Panhandling
MPC 153(a) - Urinating in Public
MPC 869 - Vending without a license (peddling)
BUSINESS & PROFESSIONS CODE
BP 21453(d) - Crossing against a light
BP 25620(a) - Open Container
CIVIL CODES
CVC 21954(a) - Jaywalking
CVC 21453(d) - Crossing against a light
CVC 22520.5(a) - Soliciting
POLICE CODE
MPC 97 - Living in Vehicle

From: Supervisor Daly
To: Director, Department of Public Health
To: Director, Human Services
Requesting/Inquiring: Requesting information from the Departments of Public Health and Human Services regarding the number of individuals on waiting lists for the following services, and the average wait list length of time for each service. The service types are:
· Substance Abuse
· Housing and Transitional Housing
· Mental Health

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Please investigate the safety of turning left from Sloat going West onto 26th Avenue.

From: Supervisor McGoldrick
To: Director, Planning Department
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Planning Department and the Department of Public Works to report on the status of removing the following general advertising signs from the following locations:
· 755 Market - sign size expanded, ADS advertising sign for cell phones, painted on the side of building, facing westerly direction.
· 3148 Geary - Northeast corner of Geary & Spruce, construction site plastered with wheatpasted posters.
· Geary between 4th & 5th - old Cala Market site, San Jose Construction 408-986-8711, owner is Toyota, approx. 150 wheatpasted posters on building.
· 507 Bush St. - wheatpasted posters at the Southwest corner of Bush & Grant St., about 75 ft. west of the corner.
· 1633 Market - plastered with wheatpasted posters.
· 100 block of Valencia @ Duboce - 50 ft. from corner, eastside of Duboce, next to a tattoo place which is 177 Valencia, and across the street from 198 Valencia, an auto shop.
· Columbus & Jackson - large illegal Clear Channel billboard, no attribution or sign of company, on the side of a small restaurant. A legal billboard is just below it mounted on a frame.

From: Supervisor McGoldrick
To: Director, Planning Department
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Planning Department and the

Department of Public Works to report on the status of removing the wheatpasted posters from its "Building Façade & Sidewalk Beautification" Program, including but not limited to the following locations:
· 1127 Market Street
· 1637 Market Street
· 200 Leavenworth Street
· 172 Golden Gate Avenue
· 265 Golden Gate Avenue
· 18th Street & Mission Street
· 1250 Valencia Street
· Valencia Street between 25th Street & 26th Street ( Western Store)
· 250 Divisadero Street @ Haight Street

From: Supervisor Sandoval
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to provide a cost estimate for a project to install pedestrian level lighting on the staircase that connects Alemany Boulevard and Mission Street where Mission intersects Trumbull Street. Also requesting the department to include in this estimate funds necessary to landscape the immediate area and to make any needed repairs to the staircase.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:
· 539 Gough
· 1213 Divisadero
· 1272 Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
· Southeast corner of Divisadero and Haight
· Southwest corner of Scott and Hayes (Both Chronicle)

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes at the following locations:
· Northeast corner of Divisadero and Haight (Blue)
· Southeast corner of Pierce and Ellis (Black)
· Northeast corner of Pierce and Golden Gate
· Southwest corner of Fulton and Gough

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes:
· 800 McAllister
· Southeast corner Scott and Fulton
Billboard

· Clear Channel (Billboard #1215) on Hayes, Scott, and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of tree pruning and maintenance at the Midtown Park Apartments, a San Francisco City owned property located at 1415 Scott Street, bound by Geary, O'Farrell, and Divisadero. (There is a broken tree branch at 2040 O'Farrell, between Beirman & Scott Streets).

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing multiple potholes at the following locations:
Potholes
· 242 Divisadero
· 988 Divisadero
· West intersection of crosswalk at Ellis and Pierce
Raised Areas (Bumps)
· 1238 Pierce

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing missing signs at the following locations:
No Parking for Street Cleaning Signs
· Several signs missing on the southside of Geary between Webster and Buchanan
· Near 1545 Geary
· Golden Gate between Fillmore and Webster

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of a crosswalk at the intersection of Steiner Street and Laussat.

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission
Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:
Metal Poles
· 1521 Eddy
· Southeast corner of Pierce and Eddy
· Southeast corner of Eddy and Steiner
· Southwest corner of Buchanan and Grove
Wooden Poles
· All four corners of Broderick and Oak (Metal and Wood)
· Near 251 Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from light switch boxes and phone switch boxes at the following locations:
Light Switch Box
· Southwest corner of Steiner and Geary

· Northwest corner of Golden Gate and Pierce
· Southeast corner of Gough and McAllister
· 679 Fulton (Small LS box)
Phone Switch Box
· Northwest corner of Scott and Ellis

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the DPT signs at the following locations:
Stop Signs
· Northeast corner of Steiner and Eddy
· Southwest corner of Pierce and Steiner
One-Way Sign
· Northeast corner of Broderick and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the sidewalk at 957 Cole Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of tree pruning and maintenance of trees near the Freedom West Complex at the following locations:
· Fulton Street between Franklin and Laguna
· McAllister between Franklin and Laguna

## In Memoriams

*Anne Wehrer - Supervisor Elsbernd*

*George Conway - Supervisor Elsbernd*

*Katie Seligman - Supervisor Dufty*

*Tamisha Tovie - Supervisor Mirkarimi*

*Tom Kim - Supervisor McGoldrick*

*Sonny Tom - Entire Board*

## *Special Board of Supervisors Meeting*

*Budget and Finance Committee*

*April 11, 2007*

*At the hour of 1:18 p.m. Supervisor Sean Elsbernd was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was*

*convened.*

*At the hour of 1:18 p.m. Supervisor Jake McGoldrick was noted present*

*Present: Supervisors Chris Daly, Tom Ammiano, Bevan Dufty, Ross Mirkarimi, Gerardo Sandoval, Sean Eslbernd, Jake McGoldrick*

*070352 Reserved Funds, Recreation and Park Department*

*Hearing to consider release of reserved funds, Recreation and Park Department fiscal year 2006-2007 budget, in the amount of $495,000 for Golf Fund.*

*Approved and File. ($495,000 Release of Reserve)*

*Ayes: 4 - Ammiano, Dufty, Mirkarimi, Sandoval*

*Noes: 1 - Daly*

*70267 Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.*

*Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.*

*Recommended "Do Not Pass"*

*Ayes: 5 - Daly, Ammiano, Dufty, Mirkarimi, Sandoval*

*At the hour of 2:57 p.m. Supervisors Sean Elsbernd and Jake McGoldrick were noted absent and there was no longer a quorum of the Board of Supervisors.*

*The Special Board of Supervisors meeting adjourned at 2:57 p.m.*

# ADJOURNMENT

*The meeting adjourned at 5:28 p.m.*

*There being no further business the Board adjourned at the hour of 5:28 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on May 8, 2007.*

**Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯： 必須在會議前最少四十八小時提出要求
請電： (415) 554-7703

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.
Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to

accommodate these individuals.

**Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

**Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

City and County of San Francisco
Board of Supervisors

April 17, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

/07

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# MEETING MINUTES

## Tuesday, April 17, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

# Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*

*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| Members Present: | *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.* |
| Members Excused: | *None.* |
| Members Absent: | *None.* |

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Ammiano was noted absent.*

*There was a quorum.*

*Supervisor Ammiano was noted present at 2:08 p.m.*

# APPROVAL OF MEETING MINUTES

**Supervisor Dufty, seconded by Supervisor Jew, moved to approve the March 20, 2007 and March 27, 2007 meeting minutes. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

# CONSENT AGENDA

## Recommendations of the Budget and Finance Committee

070208 **[Electronic benefit transfers, monthly pay period; deleting payment by emergency check]** Mayor, Supervisors Ammiano, Dufty

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the

form of emergency checks.

Enacted Number: 93-07
FINALLY PASSED

070397 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]

Resolution approving the 2007/08 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $24,618,026. (Mayor)

Enacted Number: 197-07
ADOPTED

070398 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 2007/08 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $943,166. (Mayor)

Enacted Number: 194-07
ADOPTED

070399 [Apply For-Accept-Expend Federal Funding - HOME Program]

Resolution approving the 2007/08 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling $8,445,053. (Mayor)

Enacted Number: 195-07
ADOPTED

## Recommendation of the City Operations and

## Neighborhood Services Committee

070229 **[Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law]** **Supervisor McGoldrick**

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 «, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green, white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)

**Enacted Number:** 88-07

**FINALLY PASSED**

## Recommendations of the Land Use and Economic Development Committee

061214 **[Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

**Enacted Number:** 89-07

**FINALLY PASSED**

061216 **[Zoning - Establishing the Trinity Plaza Special Use District at Market and 8th Streets]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum

dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

Enacted Number: 90-07

FINALLY PASSED

061217 [Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.] Supervisor Daly

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

Enacted Number: 92-07

FINALLY PASSED

061688 [Zoning-Use of Transferable Development Rights (TDRs)] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Enacted Number: 87-07

FINALLY PASSED

070194 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

Enacted Number: 91-07

FINALLY PASSED

070262 [Mint Plaza public improvements on a portion of Jessie and Mint Streets.] Supervisor Daly

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets, including authorization to allow certain specified uses and occupancy in said area, including caf, tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

Enacted Number: 83-07

FINALLY PASSED

## Recommendations of the Public Safety Committee

070265 [Accept-Expend State Grant - Police Department] Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San

Francisco to retroactively accept and expend a grant in the amount of $330,000.00 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" program.

Enacted Number: 185-07
**ADOPTED**

**070266** [Accept-Expend Federal Grant - Police Department] Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $98,280 from the Governor's Office of Emergency Services for a program entitled Project Safe Neighborhood - Operation Cease-Fire.

Enacted Number: 184-07
**ADOPTED**

## Recommendations of the Rules Committee

**070193** [Accept-Expend Federal and State Grants for Voting Equipment]

Resolution authorizing the Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301 in an amount not to exceed $5,742,340 for voting equipment to be used for the November 2007 election and elections thereafter. (Elections Department)

Enacted Number: 196-07
**ADOPTED**

**070322** [Settlement of Claim - Glorina Crisostomo]

Resolution approving the settlement of the unlitigated claim filed by Ms. Glorina Crisostomo against San Francisco for $30,000; claim was filed on May 16, 2006. (City Attorney)

Enacted Number: 183-07
**ADOPTED**

**070432** [Appointment - Police Commission]

Motion confirming the Rules Committee's nomination of, and appointing, Theresa Sparks, term ending April 30, 2011, to the San Francisco Police Commission.

Theresa Sparks, succeeding herself, seat 1, term expiring April 30, 2007, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2011.

Enacted Number: M07-39
APPROVED

070433 [Appointment - Graffiti Advisory Board]

Resolution appointing Milo Hanke, Paul Giusti, Deborah Mansfield, and Alexander Mamak, terms ending April 10, 2009, to the Graffiti Advisory Board.

Milo Hanke, new appointment, seat 13, must represent nonprofit organizations who provide services related to the City's beautification and neighborhood cleanup programs, for a two-year term ending April 10, 2009. Paul Giusti, new appointment, seat 15, must represent business that operates in San Francisco, for a two-year term ending April 10, 2009. Deborah Mansfield, new appointment, seat 16, must represent private schools or art schools who operate in San Francisco, for a two-year term ending April 10, 2009. Alexander Mamak, new appointment, seat 17, must represent contracting agency for Municipal Railway shelters, for a two-year term ending April 10, 2009.

Enacted Number: 182-07
ADOPTED

070435 [Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]

Resolution appointing Catherine Smith, Michael Goldstein, Patt Denning, Camilla Norman Field, and Richard Rendon, terms ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses; residency requirement waived.

Catherine Smith, new appointment, seat 3, must be a representative of a medical cannabis dispensary operating in San Francisco, for the unexpired portion of a two-year term ending January 1, 2009. Michael Goldstein, new appointment, seat 4, must be a civil liberties advocate, for the unexpired portion of a two-year term ending January 1, 2009. Patt Denning, new appointment, seat 5, must be a harm reduction practitioner, for the unexpired portion of a two-year term ending January 1, 2009. Camilla Norman Field, new appointment, seat 6, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009. Richard Rendon, new appointment, seat 7, must be a representative from any of the following categories: juvenile justice

advocate, advocate for homeless persons, resident of public housing, or representative of an organization providing services to or advocating on behalf of residents of public housing in San Francisco., for the unexpired portion of a two-year term ending January 1, 2009.

Enacted Number: 181-07
**ADOPTED**

070436 **[Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Patricia Webb, Kelly Dearman, and James Illig, terms ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Patricia Webb, succeeding herself, term expired, seat 2, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2010. Kelly Dearman, succeeding herself, term expired, seat 6, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010. James Illig, succeeding himself, term expired, seat 8, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010.

Enacted Number: 190-07
**ADOPTED**

070437 **[Appointment - Child Care Planning and Advisory Council]**

Resolution appointing Heidi McLaughlin, term ending December 31, 2008, to the Child Care Planning and Advisory Council; residency requirement waived.

Heidi McLaughlin, succeeding Helen Lee, term expired, seat 9, must be a nominee of District 9 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of three-year term ending December 31, 2008.

Enacted Number: 189-07
**ADOPTED**

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# REGULAR AGENDA

# UNFINISHED BUSINESS

## Recommendations of the Budget and Finance Committee

070254 [Appropriating $19,884,652 for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year 2006-2007] Supervisors Ammiano, Dufty

Ordinance appropriating $19,884,652 of sources, including $9,443,985 of additional San Francisco General Hospital patient revenue, $5,000,000 of San Francisco General Hospital prior year settlements, $3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and $423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating $1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating $19,884,652 of uses, including $12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, $5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and $2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating $741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

Enacted Number: 85-07

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

070296 [Appropriating $4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]

Ordinance appropriating $4,440,000 of General Fund Reserve funding for

litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

(Fiscal Impact.)

Enacted Number: 84-07

**FINALLY PASSED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Jew, Sandoval

070309 **[Department of Elections Amendment to Current Supervisor Daly Voting Systems Contract]**

Resolution approving the award and execution of a 17 month amendment to an existing contract by the City and County of San Francisco, through its Department of Elections (Department), with Elections Systems & Software (ES&S), for the provision of voting services and the maintenance of the current voting system.

(Fiscal Impact.)

Enacted Number: 179-07

**ADOPTED** by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Jew, Maxwell, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - McGoldrick, Sandoval

## Recommendation of the City Operations and Neighborhood Services Committee

070078 **[Healthy Products, Healthy Children Ordinance]** Supervisor Alioto-Pier

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to the regulations concerning Bisphenol-A.*

*Motion to adopt regulations concerning Bisphenol-A failed by the following vote:*

*Noes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

**Enacted Number:** 86-07

**FINALLY PASSED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Alioto Pier, seconded by Supervisor Dufty, moved to rescind the previous vote.*

*Motion to rescind the previous vote passed by the following vote:*

*Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Absent: 1 - Sandoval*

*Motion to adopt regulations concerning Bisphenol-A passed by the following vote:*

*Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Noes: 1 - Daly*

*Absent: 1 - Sandoval*

## Recommendations of the Land Use and Economic Development Committee

**061529** **[Residential Inclusionary Affordable Housing Requirements]** **Supervisors McGoldrick, Maxwell**

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to add update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program

by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to buildings 120 feet or higher to have lower inclusionary requirements.*

*Motion to include regulations relating to buildings 120 feet or higher to have lower inclusionary requirements passed by the following votes:*

*Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Noes: 1 - Daly*

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070217 **[Zoning - Interim moratorium on installation of microcell equipment]** **Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd**

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

*Continued to May 22, 2007.*

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# CALLED FROM COMMITTEE

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

*Continued to June 5, 2007.*

**Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

061535 [Planning Code - Adjustment to fee programs] Supervisor Peskin

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070264 [Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks] Supervisor Dufty

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070316 [Requiring Board of Supervisors approval of spending plans for specified Proposition 1B funds] Supervisors Sandoval, Ammiano, Daly, Jew, McGoldrick, Mirkarimi, Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1 to require departments to develop spending plans for the use of any funds received by the City and County under California Government Code Section 8879.23(l), the Local Streets and Road Improvement, Congestion Relief and Traffic Safety Account of 2006, to require departments to obtain approval by the Board of Supervisors of these spending plans prior to appropriation of the funds, to report back to the Board of Supervisors at six-month intervals following appropriation of the funds, and requiring the Controller to conduct an audit of the funds on a biannual basis.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## From the Budget Committee with Recommendation "Do Not Pass"

070267 [Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.] Supervisor Elsbernd

Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park

Golf Course for certain professional golf tournaments.

*Continued to May 1, 2007.*

**Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendations of the Land Use and Economic Development Committee

070039 **[Planning Code-Amending Article 11 Designation of 583-587 Howard Street]**

Ordinance amending the designation of 583-587 Howard Street from "Unrated-Category V" to "Contributory-Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070045 **[Planning Code-Amending Article 11 Designation Supervisor Peskin of 625-631 Pine Street and 635-659 Pine Street]**

Ordinance amending the designation of 625-631 Pine Street from "Unrated-Category V" to "Significant-Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated-Category V" to "Significant-Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendation of the Public Safety Committee

070271 **[Police Staffing at the Airport and Deployment of Personnel to District Stations]** **Supervisors Mirkarimi, Dufty, Ammiano**

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

*Supervisor Ammiano requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

## Recommendations of the Rules Committee

070370 **[Waiving certain fees for Anti-War Rally on March 18, 2007]** Supervisors Ammiano, Daly

Resolution urging the San Francisco Fire Department to retroactively waive, or reimburse, the ANSWER Coalition for fees paid to hold their March 18th Anti-War rally.

**Enacted Number:** 180-07

**ADOPTED by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070372 **[Confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman]** Mayor

Resolution confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman.

**Enacted Number:** 178-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070386 **[Confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010]** Mayor

Resolution confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010.

**Enacted Number:** 177-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## From the Rules Committee Without Recommendation

070323 [Settlement of Claim - Eun Young Lee]

Resolution approving the settlement of the unlitigated claim filed by Eun Young Lee against the City and County of San Francisco for payment of $88,493 and reinstatement of paid leave to vacation account; claim was filed on April 3, 2005. (City Attorney)

Enacted Number: 193-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ammiano

# SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Sandoval welcomed, introduced, and presented a Certificate of Honor to the family of Tomasa Perez.*

# COMMITTEE REPORTS

070347 [Apply for State Re-Use Assistance Grant - Department of Telecommunications and Information Services] Mayor

Resolution authorizing the Department of Telecommunications and Information Services to apply for annual grants from the California Integrated Waste Management Board for the purpose of conducting activities leading to an increase of the re-use of materials that might otherwise go into the landfill.

Enacted Number: 188-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070269 [Closing specified streets in Golden Gate Park on Supervisor McGoldrick Saturdays on a trial basis for six months beginning May 5, 2007]

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation

and Park Department pertaining to the Saturday road closures; and making environmental findings.

**PASSED ON FIRST READING** by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

# PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Dr. Noh; expressed concern with issues relating to Police Services*

*John Rosen; expressed concern with various issues*

*Emily; expressed concern with issues relating to Community Choice Aggregation*

*Allisa Wasserman; expressed concern with issues relating to Community Choice Aggregation*

*Charlie Walker; expressed concern with issues relating to minority contracting*

*Mr. Baker; expressed concern with issues relating to city contracting*

*Erwin Lum; expressed concern with issues relating to Muni*

*Dane; expressed concern with issues relating to the homeless*

*Evette Simpson; expressed concern with issues relating to Community*

*Choice Aggregation*

*Female speakers; expressed concern with issues relating to "Poems Under the Dome"*

*Males speaker; expressed concern with issues relating to "Poems Under the Dome"*

*Don Isenberb; expressed concern with issues relating to energy*

*Helen; expressed concern with issues relating to Community Choice Aggregation*

*Don Ires; expressed concern with issues relating to Community Choice Aggregation*

*Eugene Gordon Jr.; expressed concern with various issues*

*Colette Crucker; expressed concern with issues relating to Community Choice Aggregation*

*Brad Johnson; expressed concern with issues relating to Community Choice Aggregation*

*Males speaker; expressed concern with various issues*

*John Hanley; expressed concern with various issues*

*Supervisors Sandoval and McGoldrick were noted absent at 3:50 p.m.*

*Supervisor McGoldrick was noted present at 4:15 p.m.*

# CLOSED SESSION

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to convene in closed session. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070481 **[Closed Session - Potential Litigation involving the Department of Elections voting system contracts]** **Supervisor Elsbernd**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the Department of Elections voting system contracts. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed

session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the potential litigation.

*The Board recessed at the hour of 4:30 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 4:55 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*John Arntz, Director of Elections*

*Chad Jacobs, Deputy City Attorney*

*Cheryl Adams, Deputy City Attorney*

*Monique Zmuda, Deputy Controller*

*Kay Gulbengay, Interim Clerk of the Board*

*Victor Young, Assistant Clerk*

*[Elect To Disclose] Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.*

*[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.*

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to not disclose. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

# FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference.*

*A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

070469 [CalHome Application] **Supervisor Elsbernd**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

Enacted Number: 176-07

**ADOPTED**

070470 [Urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.] **Supervisors Dufty, Mirkarimi, Daly**

Resolution urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.

Enacted Number: 191-07

**ADOPTED**

070471 [Commending the organizers of the second annual Poem Under the Dome] **Supervisor Mirkarimi**

Resolution commending the organizers of the second annual Poem Under the Dome poetry open mic event in City Hall.

Enacted Number: 187-07

**ADOPTED**

070472 [Opposing SB 893] **Supervisor Mirkarimi**

Resolution declaring opposition to Senate Bill 893, state legislation that would shift all Proposition 10 revenue away from First 5 San Francisco County to the statewide California Families and Children's Commission.

Enacted Number: 192-07

**ADOPTED**

070473 [Relay For Life Day] **Supervisor Peskin**

Resolution proclaiming May 1, 2007 as Relay for Life's Paint Our Town Purple Day; and April 28-29 and July 14-15, 2007 as San Francisco Relay for Life Days in San Francisco.

**Enacted Number:** 186-07
**ADOPTED**

**The foregoing items were acted upon by the following vote:**
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

## Severed From For Adoption Without Reference to Committee

070474 **[Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]** Supervisor Peskin

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

*Supervisor Jew requested this item be severed so that it might be considered separately.*

*Supervisor Jew requested that this matter be referred to Committee.*

**REFERRED to the Land Use and Economic Development Committee.**

# OFF-AGENDA LEGISLATION

## Introduced by Supervisors or Mayor

## Ordinances

070501 **[Adopting Community Choice Aggregation Draft Implementation Plan and Adopting Further Implementation Measures]** Supervisors Ammiano, Mirkarimi

Draft Ordinance adopting a Community Choice Aggregation Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation program, and establishing a Community Choice Board of Control to administer program startup activities.

(Fiscal Impact; Economic Impact)

4/17/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2007. 5/22/07 - Economic Impact Report received.

070502 **[Adopting Community Choice Statement of Intent]** **Supervisors Mirkarimi, Ammiano**

Draft Ordinance adopting a Community Choice Statement of Intent Pursuant to Public Utilities Code 366.2(c)(4).

(Fiscal Impact; Economic Impact)

4/17/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2007. 5/22/07 - Economic Impact Report received.

070499 **[Public Employment - Department of Human Resources]** **Supervisor Daly**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070505 **[Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides]** **Supervisor Peskin**

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

070507 **[ADA Grievance Procedure]** **Supervisor Alioto-Pier**

Ordinance adopting an ADA Grievance Procedure that includes oversight by the Mayor's Office on Disability, time limits for filing and resolving grievances, investigation by the relevant City department, an appeal process, and an annual report to the Mayor and the Board.

4/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/17/2007.

070508 **[Banning alcohol in parks with playgrounds]** **Supervisor Alioto-Pier**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in any park that contains a children's playground or play structure.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

## Resolutions

**070500** **[Reconstruction of San Francisco General Hospital; Finding of Fiscal Responsibility]** Mayor

Resolution adopting finding that the proposed reconstruction of San Francisco General Hospital is fiscally feasible and responsible under Administrative Code Chapter 29.

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070503** **[Issuance and Sale of Tax-Exempt Bonds - Pacific Institute]** Supervisor Mirkarimi

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070504** **[Ocean Beach Erosion]** Supervisor Jew

Resolution urging the Department of Public Works to put in place a long term solution to erosion problems at Ocean Beach that preserves the beach's character, enhances the condition of the beach to increase recreational opportunities, and to the extent possible mimics natural processes.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070506** **[Lease of Real Property - 1390 Market Street]** Supervisor Peskin

Resolution authorizing the exercise of an option to extend an approximate 68,783 square foot lease at 1390 Market Street for use by the City Attorney.

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070510** **[Small Business Week - May 5 to May 11, 2007]** Supervisors Elsbernd, Alioto-Pier, Jew

Resolution proclaiming May 5, 2007 to May 11, 2007 Small Business Week in San Francisco.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070511 **[Expanding household hazardous waste programs, and supporting AB 1109]** **Supervisor Sandoval**

Resolution urging the Department of the Environment to increase the number of outlets in San Francisco that accept various types of household hazardous waste and universal waste, and urging San Francisco retailers, including the new Home Depot, to serve as drop off sites, and to support AB1109, which holds manufacturers responsible for the collection and recycling of these products at the end of their useful life.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070512 **[Proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco]** **Supervisors Sandoval, Elsbernd, Mirkarimi**

Resolution proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070513 **[Urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code]** **Supervisor Ammiano**

Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070514 **[Grant to fund a project through Department of Public Health, HIV Epidemiology Section]** **Supervisor Ammiano**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (DPH-AIDS Office), to accept and expend a grant in the amount of $20,030 from the Medical School University of Zagreb, Croatia, for the Time Location Sampling Training Module; for the period of July 1, 2007, through October 31, 2007.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070515 **[Supporting chemical testing and ingredient disclosure in cosmetic products, and endorsing SB 578]** **Supervisor Maxwell**

Resolution urging San Francisco's State delegation to support efforts requiring testing and ingredient disclosure in cosmetic products, and to support SB 578, which requires manufacturers to disclose chemical

ingredients in products as well as the health risks associated with these chemicals.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070516 **[Armenian Genocide Commemoration Day - April 24, 2007]** Supervisors Peskin, Elsbernd, Mirkarimi

Resolution declaring April 24, 2007 as Armenian Genocide Commemoration Day in San Francisco.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070517 **[Extending review time for landmark tree designation at 730 28th Avenue]** Supervisor McGoldrick

Resolution extending the landmark tree designation review period for a California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90 days in accordance with Public Works Code Section 810(d) and requesting other official acts in connection with this extension.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070518 **[Accept-Expend Private Foundation Grant - District Attorney]** Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $25,000 through the Blue Shield of California Foundation, for a project entitled "Planning Grant for Comprehensive Services to Children Who Witness Violence for the period March 1, 2007 to December 1, 2007.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070519 **[Plug-in hybrid pilot project]** Supervisor Daly

Resolution urging the Department of the Environment to develop a pilot project to determine the viability of plug-in hybrid electric vehicles in San Francisco, as part of the municipal vehicle fleet.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070520 **[Extending Western SoMa Citizens Planning Task Force]** Supervisor Daly

Resolution extending the life and operation of Western SoMa Citizens Planning Task Force.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070474 **[Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]** **Supervisor Peskin**

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/17/07, REFERRED to Land Use and Economic Development Committee. Supervisor Jew requested this item be severed so that it might be considered separately. Supervisor Jew requested that this matter be referred to Committee.

## Requests for Hearing

070490 [Catastrophic Sick Leave Ordinance] **Supervisor Ammiano**

Hearing to discuss the Catastrophic Sick Leave Ordinance.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

070491 **[Bay Area Preparedness Initiative]** **Supervisor Alioto-Pier**

Hearing on the Bay Area Preparedness Initiative, including an evaluation of the Bay Area's ability to respond to a natural disaster.

4/17/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070492 **[Findings and recommendations of the Port of San Francisco's Cruise Terminal Advisory Panel]** **Supervisor Alioto-Pier**

Hearing to consider the findings and recommendations of the Port of San Francisco's Cruise Terminal Advisory Panel including long-term plans to serve and/or expand cruise business at the Port, the best locations for turn-around and port-of-call berthing and strategies, and strategies to finance a cruise terminal.

4/17/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070493 **[Western SOMA Citizens Planning Task Force]** **Supervisor Daly**

Hearing on progress report of the Western SOMA Citizens Planning Task Force.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

**070494** **[MTA's FY 07-08 Budget]** Supervisors Daly, Ammiano

Hearing on Municipal Transportation Authority's FY 2007-2008 Budget.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070495** **[Budget Reserves]** Supervisors Daly, Ammiano

Requesting Budget Analyst to provide an overview of the Status of Reserves listed in Appendix B of the Controller's 6-Month Report released on February 2, 2007. When was each reserve set? What is the likelihood that each reserve be released in the current or next fiscal year? How many reserves have been on the books for multiple years? Have any reserves been closed out in the current or last fiscal year?

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070496** **[Findings of the 2007 City Survey]** Supervisor Dufty

Hearing to consider the findings of the 2007 City Survey conducted by the Controller's office and to discuss in detail the City services that are not meeting the expectations of San Francisco's citizens and any policy implications for the 2007-2008 Budget.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070497** **[Geneva Office Building]** Supervisor Sandoval

Hearing with the Department of Recreation and Park to discuss the status of the project to renovate the Geneva Office Building.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070498** **[2008 Recreation and Park Bonds]** Supervisor Sandoval

Hearing with the Department of Recreation and Park to discuss the 2008 Recreation and Park Bond. The hearing should address the department's process for selecting projects for inclusion on the bond and the public outreach being conducted by the department.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

# PROPOSED ORDINANCES

070422 [Appropriating $1,003,073 of State reimbursements for additional ballot costs and other current expenses in the Department of Elections for Fiscal Year 2006-2007]

Ordinance retroactively appropriating $1,003,073 from State mandated prior year election cost reimbursements to fund additional ballot costs related to the November 2006 Election and other current expenses in the Department of Elections for Fiscal Year 2006-2007. (Elections Department)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070423 [Contract for the purchase of telecommunications services in excess of $10 Million]

Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of $10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070420 [Settlement of Lawsuit - Javed Malik]

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

4/4/07, RECEIVED AND ASSIGNED to Rules Committee.

# PROPOSED RESOLUTIONS

070421 [Department of Building Inspection Annual Report printing]

Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)

(Supervisor Daly dissented in Committee.)

4/5/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070424 [Lease of Real Property at 1212 Market Street]

Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

*From: Supervisor McGoldrick*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation that would require all power provided to San Francisco residents and businesses to be 100% zero carbon by 2017. By 2012 we would require that the mix be at least 50%.*

*From: Supervisor Mirkarimi*
*To: Director, Municipal Transportation Agency*

*Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the status of replacing or repairing damaged MUNI railing at the MUNI stop at Judah and 11th Avenue.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of installing the following:*

*Pedestrian signals at 9th Avenue and Judah and 9th Avenue and Irving. A crosswalk at the intersection of 12th Avenue and Judah.*
*ADA Cutouts at 9th Avenue and Irving.*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the repainting of a crosswalk at the intersection of 12th Avenue and Judah.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

*Clayton between Hayes and Grove*
*Hayes between Masonic and Ashbury*
*Grove between Central and Baker*

*Central between Grove and Fulton (including black frames)*
*Fulton between Cole and Clayton*
*Baker between Grove and McAllister*
*Central between McAllister and Grove*
*Central between Haight and Buena Vista West*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the DPT signs at the following locations:*

*Park at 90 Degree green sign on the pole at the Southwest corner of Baker and Golden Gate*
*No Pedestrian Crossing sign at the Northeast and Southeast corner of Fulton and Cole*
*Southeast corner of Grove and Clayton (Stop Sign)*
*Northeast corner of Haight and Central (Stop Sign)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing missing signs at the following locations:*

*Street Identification Sign for "Baker" street at the intersection of Baker and Hayes*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:*

*Emergency Boxes:*

*2094 Grove (Green)*
*Northeast corner of Buchanan and Page*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:*

*2000 Grove*
*1813 Fulton*
*590 Baker*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from light switch boxes and phone switch boxes at the following locations:*

*Light Switch Box*

*Southeast corner of Masonic and Fulton*
*Northeast corner of Masonic and Golden Gate*
*Northeast corner of Buchanan and Oak*
*Phone Switch Box*

*Northeast corner of Hayes and Shrader*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:*

*Mailboxes*

*Northeast corner of Buchanan and Haight (Blue)*
*Northwest corner of Hayes and Ashbury*
*Garbage Cans*

*Southeast corner of Central and Grove*
*Northeast corner of Haight and Buchanan*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

*Chronicle*

*Northeast corner of Hayes and Cole*
*Northwest corner of Hayes and Ashbury*
*Southwest corner of Baker and Hayes*
*Southeast corner of Shrader and McAllister*
*SF Weekly*

*Southeast corner of Shrader and McAllister*
*Southwest corner of Lyon and Fulton*
*Examiner*

*Southeast corner of Shrader and McAllister*
*From: Supervisor Mirkarimi*
*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

*Metal Poles*

*1967 Hayes*
*2062 Grove*
*Northwest corner of Fulton and Masonic*
*1750 McAllister*
*Multiple poles at Golden Gate and Laguna*
*Multiple poles on Hayes Street between Buchanan and Octavia*

*Northeast corner of Central and Waller*
*From: Supervisor Mirkarimi*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation to protect and encourage the successful use of solar energy in residential construction by requiring that solar access to solar energy systems be protected from shading by vegetation, consistent with the Solar Shade Control Act and that protection of solar access to solar energy systems registered with the County be reviewed when construction on neighboring property is proposed.*

*From: Supervisor Mirkarimi*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation that develops steps to centralize the City and County of San Francisco's work-force development programs through its myriad departments and agencies as determined by the Budget Analyst, the Controller, and the Economic Analyst. As it pertains to work-force funding coordination, performance assessment and objectives, the draft legislation shall:*

*Join the City's Work-Force Development Strategy with its Economic Development Strategy.*
*Establish performance-based accountability measures for those agencies and departments that disseminate funds and for community based organizations that receive them.*
*Establish policy elements reflective of all surveys and audits since 2003 administered by any and all city agencies and departments pertinent to work-force development program's sector-based progress and performance, goals and objectives.*
*From: Supervisor Peskin*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation - Mandatory rating system requiring Dry Cleaners to be assigned a letter rank based on the environment effect of the chemicals used to clean clothes.*

## In Memoriams

*John Avery - Supervisor Dufty*

*Neil Murphy - Supervisor Elsbernd*

*Roger McNeil - Supervisor Mirkarimi*

*The Victims of Virginia Tech University - Entire Board*

# ADJOURNMENT

*There being no further business the Board adjourned at the hour of 5:17 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on May 15, 2007.*

**Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

**Disability access**

**Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B.

Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

City and County of San Francisco
Board of Supervisors

April 24, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

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# MEETING MINUTES

## Tuesday, April 24, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

# Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*

*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| **Members Present:** | *Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval, Tom Ammiano.* |
| **Members Excused:** | *None.* |
| **Members Absent:** | *None.* |

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:09 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum.*

# CONSENT AGENDA

## Recommendations of the Budget and Finance Committee

061535 **[Planning Code - Adjustment to fee programs]** **Supervisor Peskin**

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

**Enacted Number:** 99-07

**FINALLY PASSED**

070264 **[Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks]** **Supervisor Dufty**

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

Enacted Number: 100-07
FINALLY PASSED

070316 [Requiring Board of Supervisors approval of spending plans for specified Proposition 1B funds] Supervisors Sandoval, Ammiano, Daly, Jew, McGoldrick, Mirkarimi, Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1 to require departments to develop spending plans for the use of any funds received by the City and County under California Government Code Section 8879.23(l), the Local Streets and Road Improvement, Congestion Relief and Traffic Safety Account of 2006, to require departments to obtain approval by the Board of Supervisors of these spending plans prior to appropriation of the funds, to report back to the Board of Supervisors at six-month intervals following appropriation of the funds, and requiring the Controller to conduct an audit of the funds on a biannual basis.

Enacted Number: 102-07
FINALLY PASSED

## Recommendations of the City Operations and Neighborhood Services Committee

070243 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT LANE, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY- ESTABLISH Clay Street, south side, between Davis and Drumm Streets (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

Enacted Number: 207-07
ADOPTED

070244 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2971 21st Street, south side, between the driveways for #2965 - and #2971-21st Street (establishes three motorcycle parking spaces); and,
Octavia Boulevard, east side, from Linden Street to 14 feet northerly (accommodating 4 motorcycle parking spaces)

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Pine Street, south side, from Polk Street to Larkin Street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM EVERYDAY- RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clay Street, south side, from Stockton Street to 84 feet westerly.

TOW-AWAY NO STOPPING, 6 AM TO 6 PM EVERYDAY - RESCIND
TOW-AWAY NO STOPPING, 7 AM TO 7 PM, EVERYDAY - ESTABLISH
Sacramento Street, north side, between Powell and Mason Streets

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Clay Street, north side, between Davis and Drumm Streets

NO PARKING ANYTIME - ESTABLISH
Clay Street, north side, between Davis Street and 18 feet easterly

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks up and including address #672) (legislating existing conditions) (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

Enacted Number: 208-07
ADOPTED

070312 [Accept-Expend Federal and State Grants - Municipal Transportation Agency] Supervisor Jew

Resolution authorizing the Director of Transportation or his designee to accept and expend a National Highway Traffic Safety Administration/California Office of Traffic Safety grant in the amount of $496,885 for a School Area Bicycle and Pedestrian Safety Project.

Enacted Number: 206-07
ADOPTED

070324 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a custom firefighter air system to be installed within the Folsom Street training tower valued at $15,000 from Rescue Air Systems for training, emergency preparedness, high rise safety, and related purposes. (Fire Department)

Enacted Number: 205-07

**ADOPTED**

070307 [Grant for California Pandemic Influenza Preparedness funds] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), Communicable Disease Control and Prevention Section to accept and expend retroactively a new grant in the amount of $133,662, from the Centers for Disease Control and Prevention (CDC) and the California Department of Health Services (CDHS), to fund pandemic influenza emergency preparedness activities and to enter into an agreement with the CDHS for the use of these funds; for the period of August 31, 2006 through August 30, 2007.

Enacted Number: 209-07

**ADOPTED**

070395 [Contract funds to support participation in an international HIV/AIDS study]

Resolution authorizing the San Francisco Department of Public Health (DPH) - AIDS Office, to enter into an agreement with Blood Systems Research Institute (BSRI) and to retroactively accept and expend funds in the amount of $12,192 for a project entitled Retrovirus Epidemiology Donor Study - II (REDS-II) - International; for the period of January 1, 2007 through April 30, 2007. (Public Health Department)

Enacted Number: 210-07

**ADOPTED**

070348 [Accept-Expend Federal Grant - SF Department of the Environment] Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $24,365 from the United States Environmental Protection Agency Collaborative Diesel Emission Reduction Program through City College of San Francisco to conduct public outreach and develop training materials to promote "renewable" biodiesel fuel use in San Francisco.

Enacted Number: 211-07
ADOPTED

## Recommendations of the Land Use and Economic Development Committee

070039 [Planning Code-Amending Article 11 Designation of 583-587 Howard Street]
Ordinance amending the designation of 583-587 Howard Street from "Unrated-Category V" to "Contributory-Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

Enacted Number: 95-07
FINALLY PASSED

070045 [Planning Code-Amending Article 11 Designation Supervisor Peskin of 625-631 Pine Street and 635-659 Pine Street]
Ordinance amending the designation of 625-631 Pine Street from "Unrated-Category V" to "Significant-Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated-Category V" to "Significant-Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

Enacted Number: 96-07
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

# REGULAR AGENDA

# UNFINISHED BUSINESS

## Recommendations of the Land Use and Economic

## Development Committee

**061529** **[Residential Inclusionary Affordable Housing Requirements]** Supervisors McGoldrick, Maxwell

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to buildings 120 feet or higher to have lower inclusionary requirements.*

*Motion to include regulations relating to buildings 120 feet or higher to have lower inclusionary requirements passed by the following vote:*

*Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Noes: 1 - Daly*

**Enacted Number:** 101-07

**FINALLY PASSED by the following vote:**

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Jew

**070269** **[Closing specified streets in Golden Gate Park on Supervisor McGoldrick Saturdays on a trial basis for six months beginning May 5, 2007]**

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy

Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

Enacted Number: 98-07

**FINALLY PASSED by the following vote:**

Ayes: 9 - Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 2 - Alioto-Pier, Jew

## Recommendation of the Public Safety Committee

070271 **[Police Staffing at the Airport and Deployment of Personnel to District Stations]** **Supervisors Mirkarimi, Dufty, Ammiano**

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

Enacted Number: 97-07

**FINALLY PASSED by the following vote:**

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Jew

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Sandoval assumed the Chair at 2:33 p.m. so the President could participate in the debate from the floor concerning the following item.*

*The President resumed the Chair at 2:40 p.m.*

070407 **[Appropriating $28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Tenants, and housing services for Fiscal Year 2007-2008]**

Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including $20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; $5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Mayor's Office of Community Development for the acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 7 - Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Ammiano

Noes: 4 - Alioto-Pier, Elsbernd, Jew, Sandoval

*Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to divide the question to appropriate $5,000,000 of FY 2006-2007 General Fund Balance to the Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008 and to consider the matter on May 1, 2007 with the Board sitting as a Committee of the Whole. (See File No. 070555)*

*Motion to appropriate $5,000,000 of FY 2006-2007 General Fund Balance for the Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008 and consider the matter on May 1, 2007 with the Board sitting as a Committee of the Whole passed by the following vote:*

*Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Peskin, Sandoval*

*Noes: 4 - Elsbernd, Jew, McGoldrick, Mirkarimi*

*Supervisor McGoldrick requested to be added as a co-sponsor.*

070555 **[Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of**

Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty,

Housing for Fiscal Year 2007-2008] McGoldrick

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

*This matter will be considered at the May 1, 2007 with the Board Sitting as a Committee of the Whole.*

070371 [Appropriating $27,376,664 million Tobacco Settlement and Bond Revenue for the Laguna Honda Hospital Replacement Program to the Department of Public Health for Fiscal Year 2006-2007] Supervisor Elsbernd

Ordinance appropriating $27,376,664 million, including $16,123,659 in Tobacco Settlement Revenue, $2,364,847 in Tobacco Settlement Revenue Interest Earnings, and $8,888,158 in Bond Proceeds to support Laguna Honda Hospital Replacement Program costs to the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal Impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Alioto-Pier

070317 [Appropriating $10,549,123 of current project funding and fund balance to revise the Five-Year Capital Plan in the San Francisco International Airport for Fiscal Year 2006-2007] Mayor

Ordinance appropriating $10,549,123, including the de-appropriation of $8,547,251 in current project funding and appropriating $2,001,872 of Airport's contingency fund balance, for various San Francisco International Airport (SFIA) capital projects to reflect the updated SFIA Five-Year Capital Plan for Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal Impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070408 [Public Employment - Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD)] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by

decreasing total staffing by 7.00 FTEs.

070349 [2007 Finance Corporation Equipment Program] Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 14 (Series 2007A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $13,100,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

Enacted Number: 212-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

## Recommendations of the City Operations and Neighborhood Services Committee

070230 [Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070306 [Landmark tree designation of Coast Live Oak at 20-26 Rosemont Place] Supervisor Dufty

Ordinance designating the Coast Live Oak at 20-28 Rosemont Terrace (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance designating the Coast Live Oak at 20-26 Rosemont Place (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070382 [Landmark tree designation of California buckeye at 730 28th Avenue] Supervisor McGoldrick

Ordinance designating the California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070384 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2007 in San Francisco] Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 100 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2007 in San Francisco.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070232 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Castenada and Magellan Avenues, stopping Magellan Avenue;
Stillings, Detroit and Vista Verde, stopping Detroit Street and Vista Verde Court, making this uncontrolled intersection a two-way STOP;
19th Street and Caselli Avenue, stopping 19th Street, making this uncontrolled intersection a two-way STOP;
Hermann and Webster Streets, stopping Hermann Street, making this intersection an All-Way STOP;

21st and Florida Streets, stopping 21st Street, making this intersection an All-Way STOP.;
Chestnut and Avila Street, stopping Avila Street; and,
Mallorca and Chestnut Street, stopping Mallorca Street. (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

*Supervisor Elsbernd requested to be added as a co-sponsor.*

**Enacted Number:** 213-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

## Recommendation of the Land Use and Economic Development Committee

**070327** [Consent Calendar Procedures - Planning Commission] Supervisor McGoldrick

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Sandoval assumed the Chair at 3:15 p.m.*

*The President resumed the Chair at 3:20 p.m.*

# SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Ammiano welcomed, introduced, and presented a Certificate of Honor to Horizons Unlimited.*

*Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to Shirley Carper.*

*Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to the members of the American Cancer Society and Relay for Life.*

## PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Richard Robinson; expressed concern with issues relating to the homeless*

*Eugene Gordon Jr.; expressed concern with issues relating to the Police*

*Male speaker; expressed concern with issues relating to the Police, Marconi Case*

*John Di Donna; expressed concern with various issues*

*Richard Robinson; expressed concern with issues relating to the homeless*

*Mr. Sanderford; expressed concern with issues relating to the homeless*

*Male speaker; expressed concern with issues relating to track meet at Kezar Stadium*

*Mr. Harbor; expressed concern with issues relating to the Police*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**070510** **[Small Business Week - May 5 to May 11, 2007]** Supervisors Elsbernd, Alioto-Pier, Jew

Resolution proclaiming May 5, 2007 to May 11, 2007 Small Business Week in San Francisco.

*Supervisor Jew requested to be added as a co-sponsor.*

Enacted Number: 199-07

**ADOPTED**

**070511** **[Expanding household hazardous waste programs, and supporting AB 1109]** Supervisor Sandoval

Resolution urging the Department of the Environment to increase the number of outlets in San Francisco that accept various types of household hazardous waste and universal waste, and urging San Francisco retailers, including the new Home Depot, to serve as drop off sites, and to support AB1109, which holds manufacturers responsible for the collection and recycling of these products at the end of their useful life.

Enacted Number: 198-07

**ADOPTED**

**070512** **[Proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco]** Supervisors Sandoval, Elsbernd, Mirkarimi

Resolution proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco.

*Supervisors Elsbernd and Mirkarimi requested to be added as a co-sponsors.*

Enacted Number: 200-07

**ADOPTED**

**070514** **[Grant to fund a project through Department of Public Health, HIV Epidemiology Section]** Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (DPH-AIDS Office), to accept and expend a grant in the amount of $20,030 from the Medical School University of Zagreb, Croatia, for the Time Location Sampling Training Module; for the period of July 1, 2007, through October 31, 2007.

Enacted Number: 214-07

**ADOPTED**

070515 [Supporting chemical testing and ingredient disclosure in cosmetic products, and endorsing SB 578] Supervisor Maxwell

Resolution urging San Francisco's State delegation to support efforts requiring testing and ingredient disclosure in cosmetic products, and to support SB 578, which requires manufacturers to disclose chemical ingredients in products as well as the health risks associated with these chemicals.

Enacted Number: 203-07

ADOPTED

070516 [Armenian Genocide Commemoration Day - April 24, 2007] Supervisors Peskin, Elsbernd, Mirkarimi

Resolution declaring April 24, 2007 as Armenian Genocide Commemoration Day in San Francisco.

*Supervisors Elsbernd and Mirkarimi requested to be added as a co-sponsors.*

Enacted Number: 201-07

ADOPTED

070517 [Extending review time for landmark tree designation at 730 28th Avenue] Supervisor McGoldrick

Resolution extending the landmark tree designation review period for a California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90 days in accordance with Public Works Code Section 810(d) and requesting other official acts in connection with this extension.

Enacted Number: 215-07

ADOPTED

070518 [Accept-Expend Private Foundation Grant - District Attorney] Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $25,000 through the Blue Shield of California Foundation, for a project entitled "Planning Grant for Comprehensive Services to Children Who Witness Violence for the period March 1, 2007 to December 1, 2007.

Enacted Number: 216-07

ADOPTED

070519 [Plug-in hybrid pilot project] Supervisor Daly

Resolution urging the Department of the Environment to develop a pilot project to determine the viability of plug-in hybrid electric vehicles in San Francisco, as part of the municipal vehicle fleet.

Enacted Number: 204-07

ADOPTED

070520 [Extending Western SoMa Citizens Planning Task Force] Supervisor Daly

Resolution extending the life and operation of Western SoMa Citizens Planning Task Force.

Enacted Number: 217-07

ADOPTED

070413 [Final Map - 3165 Mission Street]

Motion approving Final Map 3428, an Eight Unit Mixed-Use Condominium Project, located at 3165 Mission Street being a merger and resubdivision of Lots 14 and 15 in Assessors Block No. 5518 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Enacted Number: M07-51

APPROVED

070521 [Final Map - 1160 Mission Street]

Motion approving Final Map 3849, a 246 Unit Residential Mixed-Use Condominium Project, located at 1160 Mission Street being a subdivision of Lots 37, 38 and 56 in Assessors Block No. 3702 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Enacted Number: M07-52

APPROVED

070522 [Final Map - 490 Post Street]

Motion approving Final Map 3766, a 130 Unit Commercial Condominium Project, located at 490 Post Street being a subdivision of Lot 10 in Assessors Block No. 0296 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Enacted Number: M07-53
APPROVED

070523 [Final Map - 542 Brannan Street]
Motion approving Final Map 2585, a 36 Unit Live-Work Condominium Project, located at 542 Brannan Street being a subdivision of Lot 72 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Enacted Number: M07-54
APPROVED

070524 [Final Map - 530 Brannan Street]
Motion approving Final Map 2592, a 32 Unit Live-Work Condominium Project, located at 530 Brannan Street being a subdivision of Lot 71 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Enacted Number: M07-55
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

## Severed from For Adoption Without Committee Reference

070513 [Urging the California State Legislature to repeal Supervisor Ammiano Section 1569.147 of the Health and Safety Code]
Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

*Supervisor Jew requested this item be severed so that it might be considered separately.*

*Supervisor Jew requested that this matter be referred to Committee.*

REFERRED to the Rules Committee.

# OFF-AGENDA LEGISLATION

## Ordinances

070538 **[Public Employment - Human Services Agency and Department of Public Health]** Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) staffing by increasing total staffing by 7.00 positions (0.28 FTE).

(Fiscal Impact.)

4/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070546 **[Zoning Map Amendment - Northwest corner of Divisadero and O'Farrell Streets, Block 1098, Lot 9]** Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

4/24/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/24/2007.

070539 **[Public Employment - Office of the City Administrator]** Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to General Services Agency - Office of the City Administrator (ADM) staffing by decreasing total staffing by 1.00 position (0.04 FTE).

4/24/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070540 **[Appropriating $19,719,628, for Children, Senior and Disabled Programs for 2006-2007; and Deappropriate $15,830,000 General Fund and Appropriate $15,830,000 Rainy Day Reserve.]** Supervisor Daly

Ordinance appropriating total sources of $17,394,628, including $17,251,834 of Unappropriated General Fund Balance, $125,000 of Food Stamps Employment and Training Funds and $17,794 of SB 90 State Mandated Costs

Fund; and appropriating total uses of $17,394,628, including $5,615,000 to the Department of Children, Youth and Their Families, $9,149,628 to the Human Services Agency, $280,000 to the Department of Public Health, $350,000 to the Mayor's Office of Disability, $1,900,000 to the Mayor's Office of Community Development and $100,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

4/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070541 **[De-appropriating $18,316 of General Fund in the Office of the City Administrator and Appropriating $9,918 in the Mayor's Office of Housing for Fiscal Year 2006-2007]** **Supervisor Daly**

Ordinance de-appropriating $9,918 for a Day Labor Site at Morengo Street and Bayshore Boulevard in the General Services Agency, Office of the City Administrator, de-appropriating $8,398 for a Deputy Director V position in the General Services Agency, Office of the City Administrator and appropriating $9,918 for a Day Labor Site in the Mayor's Office of Housing for Fiscal Year 2006-2007.

4/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070133 **[Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee]** **Supervisor McGoldrick**

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building permit is issued before September 1, 2007 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

1/30/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2007.

2/7/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review for fees, and to Small Business Commission.

2/13/07, SUBSTITUTED. Supervisor McGoldrick submitted a substitute

ordinance bearing new title.

2/16/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

3/7/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental findings.

3/8/07, RESPONSE RECEIVED. Planning Department exemption from CEQA, non-physical exemption.

4/24/07, ASSIGNED to Land Use and Economic Development Committee.

4/24/07, SUBSTITUTED to Land Use and Economic Development Committee. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

## Resolutions

070543 **[Multifamily Housing Revenue Bonds - 275 10th Street Supportive Housing]** Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for 275 10th Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

4/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070542 **[Accept-Expend Gift - Department of Public Works]** Supervisor Daly

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of $100,000 from the San Francisco Giants for the services of DPW to install hanging baskets along 3rd Street, plant a ceremonial magnolia tree for Arbor Day on Cesar Chavez Street, assist in the mounting of brackets and banners as it pertains to the All Star Game and provide trees for the Giants Volunteer Day.

4/24/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070544 [Endorsing a Conceptual Framework for the Redevelopment of Candlestick Point and the Hunters Point Shipyard, and Authorizing Environmental Review and Planning] Supervisor Maxwell

Resolution endorsing a Conceptual Framework for the creation of a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the art stadium for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and public benefits for the Bayview Hunters Point community as soon as possible; making a determination that the proposed mixed-use redevelopment project as described in the Conceptual Framework is feasible for purposes of commencing environmental review; and urging City staff and the Redevelopment Agency to proceed with environmental review and planning work, including significant community review and input, in conjunction with the Lennar Corporation, for the proposed redevelopment project.

4/24/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070545 [Extension of Agreement with Serco Management Services, Inc.] Supervisor McGoldrick

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by three years, and raising the not-to-exceed amount of the contract from $50,000,000 to $61,000,000.

(Fiscal Impact.)

4/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070548 [Commending Horizons Unlimited for over forty years of outstanding work] Supervisor Ammiano

Resolution commending Horizons Unlimited for over forty years of outstanding community work.

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070549 [Urging the California State Legislature to Oppose AB 815] Supervisor Ammiano

Resolution urging the California State Legislature to oppose AB 815, which proposes to take crucial animal control and welfare issues out of the jurisdiction of municipalities.

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070550 [Supporting AB 1358, the California Complete Supervisor Ammiano

Streets Act of 2007]

Resolution supporting AB 1358, the California Complete Streets Act of 2007.

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070551 [Gift to City of Travel from Chamber of Commerce for 2007 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070552 [Accept-Expend State Grant - Mayor's Office of Criminal Justice] Supervisor Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $99,833 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070553 [Urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School] Supervisor Sandoval

Resolution urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School.

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070513 [Urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code] Supervisor Ammiano

Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/24/07, REFERRED to Rules Committee. Supervisor Jew requested this item be severed so that it might be considered separately. Supervisor Jew requested that this matter be referred to Committee.

## Motions

070537 [Legislative Analyst Request - Police programs] Supervisor Dufty

Motion requesting the Legislative Analyst to identify the practices, outcomes, and requirements of successful police programs that trace firearms in order to identify patterns of illegal gun trafficking and discover persons associated with the crime under investigation.

4/24/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 1, 2007.

070547 [Board of Supervisors to sit as a Committee of the Whole on May 8, 2007, at 3:30 PM] Supervisor Ammiano

Motion requesting the Board of Supervisors to sit as a Committee of the Whole on May 8, 2007 at 3:30 PM for the purpose of hearing a status report on the Health Access Plan (HAP) from the Department of Public Health (DPH) and the Office of Labor Standards Enforcement (OLSE).

4/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Hearings

070530 [St. Luke's Hospital impact on San Francisco's health care infrastructure] Supervisors Alioto-Pier, Ammiano

Hearing to seek information regarding St. Luke's Hospital and the California Pacific Medical Center's plans regarding same and the impact of those plans of San Francisco's health care infrastructure.

4/24/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070531 [Department of the Environment's Climate Change Action Plan] Supervisor Alioto-Pier

Hearing on the Department of the Environment's Climate Change Action Plan.

4/24/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070532 [City Survey 2007] Supervisor Elsbernd

Hearing on the Controller's recently released City Survey 2007.

4/24/07, RECEIVED AND ASSIGNED to Government Audit and Oversight

Committee.

070533 [Controller's financial audit report titled "Municipal Transportation Agency: The Agency Needs to Improve Cable Car Fare Collection Practices"] Supervisor Elsbernd

Hearing on the Controller's recently released financial audit report titled "Municipal Transportation Agency: The Agency Needs to Improve Cable Car Fare Collection Practices".

4/24/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070534 [City's external auditors Comprehensive Annual Financial Report related to the City audit for Fiscal Year 2005-2006 and audit plans for Fiscal Year 2006-2007] Supervisor Elsbernd

Hearing for the City's external auditors (Macias Gini & Co., KPMG, Hood and Strong, and Williams Adley & Co.) to present the Comprehensive Annual Financial Report (CAFR), Single Audit, and their Management Letters, if any, related to the City audit for Fiscal Year 2005-06. They will also present their audit plans for Fiscal Year 2006-2007. This hearing is required under Charter Section 9.117.

4/24/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070535 [Status of the Eastern Neighborhoods Plan] Supervisor Maxwell

Hearing before the Land use Committee by the Planning Department regarding the status of the Eastern Neighborhoods Plan.

4/24/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070536 [SFPD Youth Competency Training] Supervisor Mirkarimi

Hearing before the Public Safety Committee to discuss neighborhood specific youth cultural competency training at the San Francisco Police Department.

4/24/07, RECEIVED AND ASSIGNED to Public Safety Committee.

070554 [Status Report on Health Access Plan] Supervisor Ammiano

Hearing to consider a status report on the Health Access Plan from the Department of Public Health and the Office of Labor Standards Enforcement.

4/24/07, ASSIGNED to Board of Supervisors. Pursuant to File 070547, Board

to sit as a Committee of the Whole on May 8, 2007, at 3:30 p.m.

# PROPOSED ORDINANCES

070482 **[Settlement of Lawsuit - Carl Montgomery]**

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

4/11/07, RECEIVED AND ASSIGNED to Rules Committee.

070488 **[Appropriating $2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]**

Ordinance appropriating $2,345,549, of which $1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, $847,960 is from the Reserve for Rainy Day - One-time Spending Account, and $420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

(Fiscal Impact.) (Supervisor Daly dissented in Committee on the question of appropriating to CON1GAGFACP 096R1 Reserve for Rainy Day - One time spending of $847,960).

4/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

# PROPOSED RESOLUTIONS

070483 **[Lease of Real Property at the southwest corner of 13th Street and South Van Ness Avenue]**

Resolution authorizing the lease of a parking lot, containing approximately 78,005 square feet, located at the southwest corner of 13th Street and South Van Ness Avenue. (Real Estate Department)

(Supervisors Ammiano and Mirkarimi dissented in committee.) (Fiscal Impact.)

4/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

*From: Supervisor Alioto-Pier*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft a request to require the San Francisco Public Utilities Commission to implement a program requiring our public schools to become 100% carbon neutral by the year 2009 through the use of solar panels on each school. The legislation will also make certain that sufficient funds are allocated to realize this goal.*

*As we are aware, climate change presents a serious threat to San Francisco in a myriad of ways. One way to locally combat carbon emissions that are contributing to overall global warming and its devastating effects is to require the San Francisco Public Utilities Commission to make certain that our public schools meet their energy needs through solar power.*

*From: Supervisor Alioto-Pier*
*To: City Attorney*

*Requesting/Inquiring: To further combat carbon dioxide emissions that contribute to global warming and overall climate change, I am introducing a drafting request to the City Attorney's office for a City environmental offset program. The program would require every airline trip taken by a City and County of San Francisco employee and paid for with City dollars to be offset through a city-authorized program. Currently more than four dozen companies worldwide sell carbon offsets, which are credit for cutting emissions through green energy projects.*

*From: Supervisor McGoldrick*
*To: Director, Planning Department*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Planning Department and the Department of Public Works to report on the status of removing the following advertising signs from the following locations:*

*547 and/or 549 Grove Street - frames of wheatpasted posters*
*1398 California Street (west facing wall) - 2 illegal billboards approx. 6 feet by 3 feet*
*Northeast corner of Pine & Grant (south facing wall) - 50 feet by 8 feet frame of wheatpasted posters*
*359 Kearney @ Pine corner building, southwest corner (north-facing wall) - illegal poster 10 feet by 6 feet*
*1133 or 1135 Market (Old Strand Theater) wall, public right of way - frames of wheatpasted posters*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:*

*Phone Booths*

*SBC - at the corner of 11th Avenue and Irving*
*1710 Market Street (can not identify company)*
*Billboards*

*Clear Channel (Billboard #1246 or #03740) on 11th Avenue at the southeast corner of Irving*
*From: Supervisor Mirkarimi*
*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

*Metal Poles*

*Both sides of Haight Street between Octavia and Market*
*Southwest corner of Gough and Page*
*Southeast corner of Oak and Ashbury*
*Both sides of Oak Street between Baker and Divisadero (wooden and metal poles)*
*Wooden Poles*

*Northeast corner of Judah and 10th Avenue*
*Northwest corner of Judah and 15th Avenue*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:*

*1300-1306 11th Avenue (it is mainly the store front, Eddy's Market on Irving that is heavily graffitied)*
*1325 - 9th Avenue*
*277 Fell*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the "No Pedestrian Crossing Signs" at the following locations:*

*Southwest corner of Hayes and Gough*
*Southeast corner of Hayes and Gough*
*Northwest corner of Fell and Gough*
*North side of Market between Gough and Octavia (2 signs on the block)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from light switch boxes and phone switch boxes at the following locations:*

*Northwest corner of 9th Avenue and Irving*
*Panhandle Park side of Oak Street at Lyon*
*Southeast corner of Gough and Hayes*
*Northeast corner of Gough and Fell*
*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from mailboxes and garbage cans at the following locations:*

*Mailboxes*

*Northeast corner of Judah and 16th Avenue*
*Garbage Cans*

*Southwest corner of Irving and 14th Avenue*
*Southwest corner of Irving and 16th Avenue*
*Southeast corner of Irving and 8th Avenue*
*Northeast corner of Market and Octavia*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

*Northeast corner of Judah and 9th Avenue (Open Exchange)*
*Southeast corner of Irving and 8th Avenue (Wall Street Journal)*
*Southeast corner of Irving and 8th Avenue (Job Careers)*

## In Memoriams

*Jim O'Connell - Supervisor Elsbernd*

*Michael Smuin - Entire Board*

*David Halberstam - Entire Board*

*Lieutenant Commander Kevin Davis - Supervisor Dufty*

# ADJOURNMENT

*There being no further business the Board adjourned at the hour of 4:02 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on May 22, 2007.*

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4188.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

City and County of San Francisco
Board of Supervisors

May 01, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

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# MEETING MINUTES

## Tuesday, May 1, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*
*JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| **Members Present:** | *Tom Ammiano, Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.* |
| **Members Excused:** | *None.* |
| **Members Absent:** | *None.* |

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Maxwell was noted absent.*

*There was a quorum.*

*Supervisor Maxwell was noted present at 2:32 p.m.*

## Privilege of the Floor

**Supervisor Dufty, seconded by Supervisor McGoldrick, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

*Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Pierre Amondji, Governor and Mayor of Abidjan Cote D'Ivoire, Africa, sister city to San Francisco.*

# CONSENT AGENDA

## Recommendations of the Budget and Finance Committee

070317 **[Appropriating $10,549,123 of current project funding and fund balance to revise the Five-Year Capital Plan in the San Francisco International Airport for Fiscal Year 2006-2007]** Mayor

Ordinance appropriating $10,549,123, including the de-appropriation of $8,547,251 in current project funding and appropriating $2,001,872 of Airport's contingency fund balance, for various San Francisco International Airport (SFIA) capital projects to reflect the updated SFIA Five-Year Capital Plan for Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal Impact.)

Enacted Number: 105-07
FINALLY PASSED

070408 [Public Employment - Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD)] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 7.00 FTEs.

Enacted Number: 94-07
FINALLY PASSED

## Recommendations of the City Operations and Neighborhood Services Committee

070230 [Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

Enacted Number: 106-07
FINALLY PASSED

070382 [Landmark tree designation of California buckeye at 730 28th Avenue] Supervisor McGoldrick

Ordinance designating the California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 107-07
FINALLY PASSED

070384 [Waiving fees for banners to be placed by the Supervisor Peskin

Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2007 in San Francisco]

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 100 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2007 in San Francisco.

Enacted Number: 109-07

FINALLY PASSED

## Recommendation of the Land Use and Economic Development Committee

070327 [Consent Calendar Procedures - Planning Commission] Supervisor McGoldrick

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

Enacted Number: 104-07

FINALLY PASSED

## Recommendation of the Public Safety Committee

070453 [Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $448,967 from the California Department of Health Services, Emergency Preparedness Office, for year 5 of the Hospital Preparedness Program, for the period of September 1, 2006, through August 31, 2007.

Enacted Number: 232-07

ADOPTED

## Recommendations of the Rules Committee

070418 [Settlement of Lawsuit - Andrew Marconi]

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978

CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**070420** **[Settlement of Lawsuit - Javed Malik]**

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**070434** **[Appointment - Urban Forestry Council]**

Resolution appointing Bonnie Ora Sherk, Carolyn Blair, Kelly Quirke, Milton Marks, Jocelyn Cohen, and Lena Miller, terms ending April 5, 2009, to the Urban Forestry Council.

Bonnie Ora Sherk, succeeding herself, term expired, seat 2, must be a representative of the tree management profession (International Society of Arboriculture, American Society of Landscape Architects, etc.), for a two year-term ending April 5, 2009. Carolyn Blair, succeeding herself, term expired, seat 3, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two year-term ending April 5, 2009. Kelly Quirke, succeeding himself, term expired, seat 4, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2009. Milton Marks, succeeding himself, term expired, seat 6, must be an at-large member, for a two year-term ending April 5, 2009. Jocelyn Cohen, succeeding herself, term expired, seat 7, must be an at-large member, for a two-year term ending April 5, 2009. Lena Miller, succeeding herself, term expired, seat 8, must be an at-large member, for a two-year term ending April 5, 2009.

Enacted Number: 231-07

**ADOPTED**

**070438** **[Appointment - Commission on the Aging Advisory Council]**

Resolution appointing Mary Higgins and Anna Maria Pierini, terms ending March 31, 2008, to the Commission on the Aging Advisory Council; residency requirement waived.

Mary Higgins, succeeding Marylouise Lovett, term expired, seat 3, must be a nominee of District 10 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008. Anna Maria Pierini, succeeding Jessica Bay, term expired, seat 4, must be a nominee of District 3 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

Enacted Number: 230-07
**ADOPTED**

070478 **[Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**

Resolution appointing Mira Ingram, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mira Ingram, new appointment, seat 1, must be a medical cannabis patient, for the unexpired portion of a two-year term ending January 1, 2009.

Enacted Number: 229-07
**ADOPTED**

070480 **[Appointment - Mental Health Board]**

Resolution appointing Tom Purvis and Rebecca Turner, terms ending January 31, 2010, to the Mental Health Board.

Tom Purvis, succeeding himself, term expired, seat 14, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010. Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

Enacted Number: 228-07
**ADOPTED**

070484 **[Appointment - Surplus Property Citizens' Advisory Committee]**

Resolution appointing Jed Lane, term ending January 18, 2009, to the Surplus Property Citizens' Advisory Committee.

Jed Lane, succeeding Richard Lee, term expired, Seat 3, must hold a Real Estate and/or Broker's license, for the unexpired portion of a two-year term ending January 18, 2009.

Enacted Number: 227-07
**ADOPTED**

070479 **[Appointment - Graffiti Advisory Board]**

Resolution appointing Michael Cashion, term ending April 10, 2009, to the

Graffiti Advisory Board.

Michael Cashion, new appointment, seat 14, must represent business that operates in San Francisco and be a property owner, for a two-year term ending April 10, 2009.

Enacted Number: 226-07
ADOPTED

PASS THE CONSENT AGENDA by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# REGULAR AGENDA

# UNFINISHED BUSINESS

## The foregoing item from the Budget and Finance Committee was acted upon by the following vote

070267 [Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.] Supervisor Elsbernd

Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Absent: 1 - Maxwell

## Recommendations of the Budget and Finance Committee

070407 [Appropriating $28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

**Tenants, and housing services for Fiscal Year 2007-2008]**

Ordinance appropriating $28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including $20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; $5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Mayor's Office of Community Development for the acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

**Enacted Number:** 110-07

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

070371 **[Appropriating $27,376,664 million Tobacco Settlement and Bond Revenue for the Laguna Honda Hospital Replacement Program to the Department of Public Health for Fiscal Year 2006-2007]** Supervisor Elsbernd

Ordinance appropriating $27,376,664 million, including $16,123,659 in Tobacco Settlement Revenue, $2,364,847 in Tobacco Settlement Revenue Interest Earnings, and $8,888,158 in Bond Proceeds to support Laguna Honda Hospital Replacement Program costs to the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal Impact.)

**Enacted Number:** 103-07

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

## Recommendation of the City Operations and Neighborhood Services Committee

070306 **[Landmark tree designation of Coast Live Oak at 20-26 Rosemont Place]** Supervisor Dufty

Ordinance designating the Coast Live Oak at 20-26 Rosemont Place (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 108-07

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

070335 **[Approving an Amendment to the Rincon Point-South Beach Redevelopment Plan to Extend the Redevelopment Agency's Time for Repaying Debt]** Supervisor Daly

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070450 **[Appropriating $31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007]** Mayor

Ordinance appropriating $31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070313 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,887,113 of federal Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility.

(Fiscal Impact.)

Enacted Number: 236-07

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070360 [Board of Supervisors Resolution re Refunding Bond and Swaps Authorization]

Resolution approving the issuance of up to $1,400,000,000 aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; Approving the maximum interest rate, notional amount and term of certain interest rate swap transactions in connection with such refunding bonds; Approving Assured Guaranty Corp. and CIFG Assurance North America, Inc. as providers of reserve fund surety bonds and the forms of reimbursement agreement relating thereto; and approving certain related matters. (Airport Commission)

Enacted Number: 235-07

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070396 [Lease of Real Property at 1145 Market Street]

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Health Service System. (Real Estate Department)

Enacted Number: 218-07

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070417 [Issuance and sale of tax-exempt bonds - Drew School] Supervisor Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $11,000,000 to finance and/or refinance various capital facilities owned by Drew School or an affiliate.

Enacted Number: 225-07

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070465 **[Contract with nonprofit Owners' Association for administration of Fillmore Jazz Community Benefit District]** **Supervisor Mirkarimi**

Resolution approving an agreement with the nonprofit Owners' Association "Fillmore Jazz District Community Association of San Francisco" for administration of the property-based business improvement district known as the "Fillmore Jazz Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

Enacted Number: 219-07

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendations of the Rules Committee

070079 **[Approving Nonprofit Performing Arts Loan Program Rules and Regulations]** **Supervisor Ammiano**

Resolution approving Rules and Regulations for the Nonprofit Performing Arts Loan Program.

Enacted Number: 223-07

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070138 **[Public Information Officer Conduct Standards]** **Supervisor Peskin**

Resolution establishing standards for the conduct of the City's Public Information Officers.

Enacted Number: 237-07

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# Board of Supervisors Sitting as a Committee of the Whole

070556 **[Hearing - Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008]**

Hearing to consider the ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Speakers: Jane Vaugh; M. Swartz; Luis Corado; Ed Donaldson; Alex Samasi; Joyce Lamaga.*

*Christian Martin, Budget Analyst's Office.*

*Matthew Franklin, Mayor's Office of Housing.*

*Mira Belvar, Mayor's Office of Housing.*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

## Committee of the Whole Adjourn and Report Without Recommendation

070555 **[Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008]** **Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty, McGoldrick**

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Alioto-Pier, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

## SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Dr. Mario Mormorunni.*

*Supervisors Mirkarimi and Sandoval welcomed, introduced, and presented Certificates of Honor to Dimitri Peterman and Teresa Fisher.*

*Supervisor Sandoval welcomed, introduced, and presented a Certificate of Honor to the organizers of the May Day March.*

*Supervisor Mirkarimi welcomed, introduced, and presented Certificates of Honor to citizens from Dar Far in recognition of their fight against genocide.*

# COMMITTEE REPORTS

**070462 [Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]** Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Eugene Gordon Jr.; expressed concern with various issues*

*Robin Croft; expressed concern with issues relating to disease prevention*

*Peter Warfield; expressed concern with issues relating to the library*

*Mike Petrelis; expressed concern with issues relating to the Department of Public Health*

*Male speakers; expressed concern with issues relating to public comment*

# APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

070537 **[Legislative Analyst Request - Police programs]** **Supervisor Dufty**

Motion requesting the Legislative Analyst to identify the practices, outcomes, and requirements of successful police programs that trace firearms in order to identify patterns of illegal gun trafficking and discover persons associated with the crime under investigation.

**APPROVED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

070548 **[Commending Horizons Unlimited for over forty years of outstanding work]** **Supervisor Ammiano**

Resolution commending Horizons Unlimited for over forty years of outstanding community work.

**Enacted Number:** 224-07

**ADOPTED**

070549 **[Urging the California State Legislature to Oppose AB 815]** **Supervisor Ammiano**

Resolution urging the California State Legislature to oppose AB 815, which proposes to take crucial animal control and welfare issues out of the jurisdiction of municipalities.

**Enacted Number:** 233-07

**ADOPTED**

070550 [Supporting AB 1358, the California Complete Streets Act of 2007] Supervisor Ammiano

Resolution supporting AB 1358, the California Complete Streets Act of 2007.

Enacted Number: 238-07
ADOPTED

070551 [Gift to City of Travel from Chamber of Commerce for 2007 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

Enacted Number: 220-07
ADOPTED

070552 [Accept-Expend State Grant - Mayor's Office of Criminal Justice] Supervisor Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $99,833 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Enacted Number: 202-07
ADOPTED

070553 [Urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School] Supervisor Sandoval

Resolution urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School.

Enacted Number: 221-07
ADOPTED

070547 [Board of Supervisors to sit as a Committee of the Whole on May 8, 2007, at 3:30 PM] Supervisor Ammiano

Motion requesting the Board of Supervisors to sit as a Committee of the Whole on May 8, 2007 at 3:30 PM for the purpose of hearing a status report on the Health Access Plan (HAP) from the Department of Public Health (DPH) and the Office of Labor Standards Enforcement (OLSE).

Enacted Number: M07-56
APPROVED

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

**Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved to approve Serious Injury Findings. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070571 **[Concurring in Declaration of Emergency]** **Mayor, Supervisor Peskin**

Motion concurring in the April 30, 2007 Declaration of Local Emergency by the Mayor, and in the actions taken to meet the emergency.

**Enacted Number:** M07-57

**APPROVED by the following vote:**

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve**

the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070572 [Asian Pacific American Heritage Month] Supervisor Jew

Resolution recognizing May 2007 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

Enacted Number: 234-07

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# OFF-AGENDA LEGISLATION

## Ordinances

070573 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2007, Fiscal Year ending June 30, 2008]

Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2007 for the fiscal year ending June 30, 2008. (Mayor)

(Fiscal Impact.)

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070574 [Proposed Annual Salary Ordinance for Selected Departments, Fiscal Year ending June 30, 2008]

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the Fiscal Year ending June 30, 2008. (Mayor)

(Fiscal Impact.)

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070582 [Public Employment - Treasurer/Tax Collector] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Treasurer/Tax Collector (TTX) staffing by decreasing total staffing by 1.00 position (.04 FTE).

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070583 **[Authorizing the Municipal Transportation Agency Board of Directors to impose special collections fee to recover actual City collection costs in addition to existing penalties for late** Mayor

Ordinance amending Traffic Code Section 131 establishing a special collections fee to recover City collection costs for late citation payments, and authorizing the Municipal Transportation Agency Board of Directors to impose the special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments.

(Supervisor Daly dissented in committee.)

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. 05/07/07 - Referred to Planning for Environmental Review. 5/17/07 - Response received from Planning-exempt form CEQA.

070586 **[Prohibiting outdoor use of single feed rodenticides in City Parks]** Supervisor Jew

Ordinance amending Sections 300 and 305 of the Environment Code to prohibit the outdoor use of single feed rodenticides in City Parks.

5/1/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/31/2007.

070589 **[Harding Park Golf Course--Fee Increase]** Supervisor McGoldrick

Ordinance amending Section 12.12 of the Park Code to increase fees at the Harding Park golf course by fifteen percent (15%); and to require the Recreation and Park Department to produce a mid-year report on the effect of the increase, and to prepare a three (3) year fiscal viability plan to substantially reduce the General Fund contribution to the golf program.

mment

5/1/07, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/31/2007. 5/08/07- Referred to Planning for environmental review.

070590 **[Requiring that Individuals be provided access to Residential Hotels as visitors of guests and occupants to assist in "get out the vote" activities]** Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to require that individuals engaged in "get out the vote" activities be provided access to Residential Hotels as visitors of guests and occupants, on the same basis as any other visitor under the Uniform Visitor Policy.

5/1/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/31/2007.

## Resolutions

**070584** **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]** Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management, information booth, security services, and shuttle bus services (Airport); paratransit and security services, citation information, janitorial and landscaping, coin counting and collection, security services, and towing services (MTA Parking & Traffic); janitorial and security services (Port).

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070585** **[Approving the First Amendment to the Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]** Mayor

Resolution approving the First Amendment to the Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070592** **[Urging Congress to Amend the Comprehensive Smoking Education Act of 1984]** Supervisor Daly

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070593** **[SRO Voter Education and Registration]** Supervisor Mirkarimi

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070594** **[Commending California Victory]** Supervisors Mirkarimi, Sandoval

Resolution commending California Victory for its community spirit and the formation of the new San Francisco United Soccer League's Division One Team.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070595 **[State Budget Augmentation for Adult Protective Services Program]** Mayor

Resolution urging the State Legislature to appropriate $20 million in additional funding for the Adult Protective Services Program, on an annual basis, beginning in fiscal year 2007-2008.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070596 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to accept and expend $86,520 in federal Section 5303 Technical Study funding to develop and produce the FY 2008 Short Range Transit Plan.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070572 **[Asian Pacific American Heritage Month]** Supervisor Jew

Resolution recognizing May 2007 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

5/1/07, ADOPTED.

060004 **[Interdepartmental jurisdictional transfer of property near Islais Creek, Indiana and Cesar Chavez Streets]** Supervisor Maxwell

Resolution transferring jurisdiction of the real property identified as portions of Assessor's Parcel Nos. 4352/001 and 4382/005 from the Public Utilities Commission to the Municipal Transportation Agency as part of the new Islais Creek Motor Coach Operations and Maintenance Facility; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

1/5/06, RECEIVED AND ASSIGNED to Land Use Committee.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

11/20/06, FILED PURSUANT TO RULE 5.37.

5/1/07, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Maxwell requested this mattter be reactivated.

5/1/07, ASSIGNED to Land Use and Economic Development Committee.

## Motions

070571 **[Concurring in Declaration of Emergency]** Mayor, Supervisor Peskin

Motion concurring in the April 30, 2007 Declaration of Local Emergency by the Mayor, and in the actions taken to meet the emergency.

5/1/07, APPROVED.

## Hearings

**070575 [Micro-Loan Programs]** Supervisor Alioto-Pier

Hearing to explore the feasibility of establishing a micro-loan program in the City and County of San Francisco and will examine the existing non-profit programs available to San Francisco residents.

5/1/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070576 [Sherman School PA System]** Supervisor Alioto-Pier

Hearing on the Sherman School PA System.

5/1/07, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests that the item be calendared at the May 17, 2007 City and School District Select Committee.

**070577 [SPUR Emergency Response Task Force]** Supervisor Alioto-Pier

Hearing on the findings of the SPUR Emergency Response Task Force.

5/1/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**070578 [City's ability to amend the Administrative Code by adding Chapter 80, Sections 80.1 through 80.10 to require refiners of motor fuels to divorce company-owned service stations in the City** Supervisor Ammiano

Hearing regarding the City's ability to amend the Administrative Code by adding Chapter 80, Sections 80.1 through 80.10 to require refiners of motor fuels to divorce company-owned service stations in the City and County of San Francisco, to preclude refiners from owning service stations in San Francisco in the future, and barring discrimination by refiners in the wholesale prices charged to service stations in San Francisco.

5/1/07, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be calendared at the May 17, 2007 Rules Committee.

**070579 [Mayor's Proposed May Budget 2007-2008]** Supervisor Daly

Hearing to review the Mayor's Proposed May Budget 2007-2008.

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070580 [Controller's 9 Month Report]** Supervisor Daly

Hearing to consider the Controller's 9 Month Report.

5/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070581 [Controller's audit risk assessment and audit schedule] Supervisor Elsbernd

Hearing on the Controller's audit risk assessment and audit schedule.

5/1/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070401 [San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies] Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

3/27/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

5/1/07, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Commitee.

## Charter Amendments

070587 [Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs] Supervisor Daly

Charter amendment (First Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; establish a Violence Prevention Fund and appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

5/1/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/31/2007.

070588 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works; requiring a performance audit of DPW every 3 years; and Supervisor Sandoval

Charter amendment (First Draft) to add a new Section 4.121.5 and to amend Sections 4.130, D3.750-4, and F1.104, to create a Public Works Commission and establish its powers and duties, authorize the Mayor to appoint the Director of Public Works, and require the Controller to conduct a performance audit of the Department of Public Works every three years, and by amending Section 9.113.5, to allocate one-tenth of any excess General Fund revenues in any given year, as defined in the Rainy Day Reserve amendment, to street repair and reconstruction.

5/1/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/31/2007.

# PROPOSED ORDINANCES

**070509** **[Settlement of Government Claim - San Francisco Forty Niners, Ltd.]**

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

4/23/07, RECEIVED AND ASSIGNED to Rules Committee.

# PROPOSED RESOLUTIONS

**070529** **[Gift of Equipment to Fire Department]**

Resolution authorizing the San Francisco Fire Department to accept a gift of a 1988 GMC flatbed truck with a lift hoist valued at $14,779 from the Pacific Gas and Electric Company for emergency preparedness, training, public safety and related purposes. (Fire Department)

4/20/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

# PROPOSED MOTIONS

## Requests Granted

*From: Supervisor Mirkarimi*
*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

*Metal Poles*

*Southeast corner of Oak and Pierce*
*Southwest corner of Gough and Page*
*All poles on Fell between Octavia and Laguna*
*Northeast corner of Hayes and Fillmore*
*Wooden Poles*

*Southwest corner of Page and Steiner (also metal box on the pole says "PIGS")*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing multiple potholes at the following locations: 867 Oak Street and 455 Haight Street.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:*

*In front of 580 Market (Phone Booths, unable to identify company)*
*Clear Channel (Billboard #1215) near the northeast corner of Hayes and Divisadero*
*Northwest corner of Gough and Page (Mailboxes)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

*Northwest corner of Hayes and Scott (Chronicle)*
*Northwest corner of Hayes and Scott (Yahoo Jobs)*
*Northwest corner of Hayes and Webster (Advertiser)*
*Northeast corner Haight and Steiner (SF Weekly)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from light switch boxes and phone switch boxes at the following locations:*

*Northeast corner of Oak and Steiner*
*Southeast corner of Fell and Webster*
*Southeast corner of Fell and Pierce*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property location: 485 Scott Street.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:*

*Emergency Boxes*

*Southwest corner of Gough and Page*
*Southwest corner of Pierce and Page*
*Southwest corner of Oak and Steiner*
*Southeast corner of Page and Steiner*
*300 Block of Webster in front of John Muir Elementary School*
*Fire Hydrant*

*Southwest corner of Haight and Laguna*
*Northwest corner of Fell and Webster*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on STOP signs at the following locations:*

*Southwest corner of Waller and Pierce*
*Northeast corner of Pierce and Page*
*Southwest corner of Pierce and Page*
*Northeast corner of Page and Steiner*
*Southwest corner of Haight and Laguna*
*Northwest corner of Hayes and Laguna*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

*Waller between Divisadero and Scott*
*Steiner between Oak and Waller*
*Page between Webster and Pierce*
*Scott between Oak and Grove*
*Fell between Laguna and Webster*
*Hayes between Pierce and Divisadero*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on parking meters at the following locations:*

*On Gough between Haight and Page*
*On Hayes between Laguna and Octavia*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the Pedestrian Crossing Signals at the following locations:*

*All four corners at Webster and Oak*
*North side of Market between Gough and Octavia*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of repainting the crosswalks at Waller and Divisadero and Waller and Castro, the yellow striping.*

*From: Supervisor Sandoval*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to inquire of the Bureau of Building Repair as to the current conditions of the four City-owned properties home to child care centers. A report, due in 30 days, may include building repairs and maintenance records, why said*

*buildings have not been repaired or maintained in good standards and more importantly, what is going to be done to solve this problem.*

*From: Supervisor Sandoval*
*To: Chief, Police Department*

*Requesting/Inquiring: Inquiring about the Police Department's process for granting valet parking permits. The Department's response should address the following issues:*

*Describe in detail the process by which businesses obtain a valet parking permit.*
*Does the department collaborate with any other City department during the process? If so, please describe.*
*Is the application fee a one-time fee or is it assessed annually? How much is the fee? When was the fee last increased? What is the process for raising the fee?*
*For what length of time is the permit valid?*
*Does the Department monitor revenue generated for purposes of the parking tax?*
*Please provide a list of all current permit holders and unprocessed applications.*
*Does the department provide the signage used by permit holders, including any portable sign holders? If so, does the department pass the related costs onto the permit applicant? If not, are there standards in place for signs and sign holders which are not City issued?*
*What are the penalties in place for persons who operate a white zone without a permit?*
*Please provide any written materials the Department has regarding white parking zones including the application form.*
*Further requesting that the San Francisco Police Department respond within 30 days.*

## In Memoriams

*Kenny Green - Supervisors Peskin and Dufty*

*John Clarke - Supervisor Elsbernd*

*Lou Papan - Entire Board*

# ADJOURNMENT

*There being no further business the Board adjourned at the hour of 4:30 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on June 5, 2007.*

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**翻譯：必須在會議前最少四十八小時提出要求**
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City and County of San Francisco
Board of Supervisors

May 08, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

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# MEETING MINUTES

## Tuesday, May 8, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*
*JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| **Members Present:** | *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.* |
| **Members Excused:** | *Jake McGoldrick.* |
| **Members Absent:** | *None.* |

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Maxwell and McGoldrick were noted absent.*

*There was a quorum.*

*Supervisor Maxwell was noted present at 2:32 p.m.*

*Supervisor McGoldrick was excused. (See Infra)*

## Supervisor McGoldrick Excused from Attendance

**Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

# APPROVAL OF MEETING MINUTES

**Supervisor Jew, seconded by Supervisor Ammiano, moved to approve the Board Meeting Minutes of April 10, 2007 and the Special Board of Supervisors Meeting Minutes of April 11, 2007. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

## Privilege of the Floor

**Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

*Representatives from the New Tenderloin addressed the Board members and expressed concern with the increase of violence in the Tenderloin.*

# CONSENT AGENDA

## Recommendation of the Budget and Finance Committee

070450 **[Appropriating $31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007]** Mayor

Ordinance appropriating $31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

Enacted Number: 114-07

FINALLY PASSED

## Recommendations of the City Operations and Neighborhood Services Committee

070462 **[Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]** Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

Enacted Number: 111-07

FINALLY PASSED

061236 **[Liquor License Transfer, 81 Langton Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 145 Jackson Street to 81 Langton Street, Suite 2, and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Luc Ertoran for Terroir SF, LLC dba Terroir, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 243-07
ADOPTED

## Recommendations of the Land Use and Economic Development Committee

070390 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
40th Avenue at Geary Boulevard, establishing an All-Way STOP control intersection; and,
Anza Vista Avenue at Baker Street, stopping the stem of this T-intersection. (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

Enacted Number: 242-07
ADOPTED

070391 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM TO 7 PM EVERYDAY - ESTABLISH
5th Street, southbound, onto Mission Street.

CROSSWALK CLOSURE - ESTABLISH
Sagamore Street at San Jose Avenue (Closing the easternmost crosswalk as part of a plan to signalize the existing crosswalk crossing Sagamore Street at Plymouth Avenue. The westernmost crosswalk will remain). (Parking and Traffic Department)

(3/15/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

Enacted Number: 244-07
ADOPTED

## Recommendations of the Rules Committee

070418 [Settlement of Lawsuit - Andrew Marconi]
Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi

against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 112-07

FINALLY PASSED

070420 [Settlement of Lawsuit - Javed Malik]

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 113-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

# REGULAR AGENDA

# UNFINISHED BUSINESS

## From the Committee of the Whole Adjourn and Report Without Recommendation

070555 [Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008] Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

Enacted Number: 118-07

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 2 - Elsbernd, Jew
Excused: 1 - McGoldrick

## Recommendation of the Budget and Finance Committee

070335 **[Approving an Amendment to the Rincon Point-South Beach Redevelopment Plan to Extend the Redevelopment Agency's Time for Repaying Debt]** **Supervisor Daly**

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

Enacted Number: 115-07

**FINALLY PASSED by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

070458 **[Appropriating $35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]** **Supervisor Dufty**

Ordinance appropriating $35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070325 **[Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]** **Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070451 **[Public Employment - Department of Economic and Workforce Development]** Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - McGoldrick

070326 **[Reprogramming of $789,715 from SFGH's equipment budget to purchase a Materials and Supplies Inventory and Purchasing System Upgrade]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $789,715 in funding budgeted at San Francisco General Hospital (SFGH) for medical equipment to purchase a Materials and Supplies Inventory and Purchasing System Upgrade in FY 2006-07. (Public Health Department)

(Fiscal Impact.)

**Enacted Number:** 240-07

**ADOPTED by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070358 **[Extending to October 1, 2007 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement retroactively from September 30, 2006 to October 1, 2007. (Treasure Island Development

Authority)

Enacted Number: 245-07

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070359 **[Approving a Memorandum of Understanding between the Treasure Island Development Authority and the City and County of San Francisco relating to staffing and oversight of the Treasure Island**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City and County of San Francisco, acting by and through the Office of the City Administrator, as its agent to provide services to carry out the day-to-day operations of the Treasure Island Development Authority and to provide oversight to the Treasure Island Project Office for the term beginning retroactively on July 1, 2006. (Treasure Island Development Authority)

Enacted Number: 241-07

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

## Recommendations of the Land Use and Economic Development Committee

070332 **[Zoning - Interim Moratorium on Single Room Occupancy developments in Western SoMa Service/Light Industrial zones]** Supervisor Daly

Urgency Ordinance approving an interim zoning moratorium on Single Room Occupancy (SRO) developments in Western South of Market (SoMa) Service/Light Industrial (SLI) zones for 45 days and making required findings, including environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

Enacted Number: 116-07

**FINALLY PASSED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

070333 **[Interim Zoning Requiring Conditional Use on Single Room Occupancy developments in the** Supervisor Daly

Western South of Market Special Use District]

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Single Room Occupancy (SRO) developments in the Western South of Market (SoMa) Special Use District (SUD) for an eighteen (18) month period and making required findings, including environmental findings, and a determination of consistency with the priority policies of Planning Code Section 101.1.

Enacted Number: 250-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

070392 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Geary Boulevard, north side, from Scott Street to 162 feet west of Divisadero Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2921 Washington Street, south side, between the driveways in front of the main entrance to create four motorcycle parking spaces.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorado Terrace, west side, in front of #41 Dorado Terrace to #79 Dorado Terrace; and,
Dorado Terrace, east side, from #312 to #224 Dorado Terrace (to legalize existing conditions)

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Indiana Street, both sides, between Cesar Chavez and Marin Streets (1600 block);
and,
Indiana Street, west side, between Marin and Tulare Streets (1700 block).

PARKING METERS (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Castro Street, east side, from Jersey Street to 48 feet southerly (four parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, west side, from Avalon Avenue to 20 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, east side, from Avalon Avenue to 20 feet southerly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
115 Wisconsin Street, east side, from 16th Street to 44 feet southerly (44

foot space,
approximately two parking spaces).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Sansome Street, west side, from Washington Street to Broadway.

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Junipero Serra Boulevard, east side, from 208 feet to 268 feet south of Monterey Boulevard at St. Francis Circle to facilitate an extension of the double northbound left turn lane (60-foot extension). (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

**Enacted Number:** 239-07

**ADOPTED by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

# SPECIAL ORDER

# Board of Supervisors Sitting as a Committee of the Whole

# CALLED FROM COMMITTEE

070401 **[San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies]** **Supervisor Daly**

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

*Continued to May 15, 2007.*

**Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

*RECESS*

*The Board recessed at the hour of 3:08 p.m.*

*Reconvening of the Board*

*The Board at the hour of 3:34 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin - 8*

*Supervisor McGoldrick was previously excused.*

*Supervisor Dufty was noted present at 3:43 p.m.*

*There was a quorum.*

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Daly assumed the Chair.*

*The President resumed the Chair shortly thereafter.*

# SPECIAL ORDER 3:30 P.M.

# Board of Supervisors Sitting as a Committee of the Whole

070554 [Status Report on Health Access Plan] Supervisor Ammiano

Hearing to consider a status report on the Health Access Plan from the Department of Public Health and the Office of Labor Standards Enforcement.

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Department Representatives:*

*Dr. Mitch Katz, Director, Department of Public Health*

*Donna Levitt, Office of Labor Standards Enforcement*

*Joanie Chan, Office of Labor Standards Enforcement*

*Deputy Director, Department of Public Health*

*Public Comment. Speakers: Dr. Dick Hodson; Dr. Sim-Chi; Douglas Yip; Silvia Johnson*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

## SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Maxwell welcomed, introduced, and presented a Certificate of Honor to Chris Iglesias and other staff members of CitiBuild.*

## PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Eric Olison; expressed concern with issues relating to MUNI*

*Peter Warfield; expressed concern with issues relating to the SF Public Library*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*Eugene Gordon Jr.; expressed concern with various issues*

*Bruce Windrum; expressed concern with issues relating to violence and drugs*

*John Di Donna; expressed concern with various issues*

*Speaker; expressed concern with various issues*

*Male speaker; expressed concern issues relating to Golden Gate Park*

*Silvia Johnson; expressed concern with issues relating to water supplies*

*Dr. Ahimsa Porter Sumchai; expressed concern with issues relating to the toxic environment at Hunter's Point*

*Ross; expressed concern with issues relating to Gay Games*

# FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

070592 [Urging Congress to Amend the Comprehensive Smoking Education Act of 1984] Supervisor Daly

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels.

Enacted Number: 246-07

**ADOPTED**

070594 [Commending California Victory] Supervisors Mirkarimi, Sandoval

Resolution commending California Victory for its community spirit and the formation of the new San Francisco United Soccer League's Division One Team.

Enacted Number: 247-07

**ADOPTED**

070595 [State Budget Augmentation for Adult Protective Services Program] Mayor

Resolution urging the State Legislature to appropriate $20 million in additional funding for the Adult Protective Services Program, on an annual basis, beginning in fiscal year 2007-2008.

Enacted Number: 248-07

**ADOPTED**

070596 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to accept and expend $86,520 in federal Section 5303 Technical Study funding to develop and produce the FY 2008 Short Range Transit Plan.

Enacted Number: 249-07

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

## Severed from For Adoption Without Committee Reference

*Supervisor Alioto-Pier requested this item be severed so that it might be considered separately.*

*Supervisor Alioto-Pier requested that this matter be referred to Committee.*

070593 [SRO Voter Education and Registration] Supervisor Mirkarimi
Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

*Supervisor Alioto-Pier requested that this matter be referred to Committee.*

REFERRED to the Land Use and Economic Development Committee.

# IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the Purely Commendatory Findings. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

*[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070602 [High Speed Rail] Supervisors Ammiano, Jew

Resolution in support of a High Speed Rail Line between San Francisco and Los Angeles.

Enacted Number: 263-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

# OFF-AGENDA LEGISLATION

## Introduced by Supervisors or Mayor

## Ordinances

070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] Supervisor Alioto-Pier

Ordinance amending Planning Code Sections 790.55, 249.5, 781.8, 781.9, 782, and 783 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(5/23/07 - Economic Impact.)

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

070621 [Declaring a public nuisance] Supervisors Dufty, Alioto-Pier

Ordinance amending Article 18 of the San Francisco Public Works Code by adding Section 944 to declare a public nuisance any property located in a underground utility district in which the property owner has refused to comply with an order from the Director of Public Works to install conduits and associated equipment necessary to obtain utility service at a building or structure on the property; amending Section 926 of the Public Works Code to allow the City to recover all costs incurred by the City in connection with abating the public nuisance; amending Sections 900, 915, and 919 through 930 of the Public Works Code consistent with this legislation; and further amending Sections 900, 901, 906, 908 through 911, and 938 of the Public

Works Code to make certain technical changes that are necessary to bring those sections up-to-date.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070623 **[Inclusionary Housing Program - New Alternative to Meet Requirements]** **Supervisor Daly**

Ordinance amending Section 315.4 to provide for a new alternative to meeting the requirements of the Residential Inclusionary Affordable Housing Ordinance; adding Section 315.6A. to provide that a project sponsor may pay the amount of the in lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative; and making findings, including findings under the California Environmental Quality Act.

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

070627 **[Public Employment]** **Mayor**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Municipal Transportation Agency (MTA-DPT) staffing by decreasing total staffing by 2.00 positions (0.08 FTE).

5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070628 **[Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas]** **Mayor, Supervisor Peskin**

Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law.

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

## Resolutions

070593 **[SRO Voter Education and Registration]** **Supervisor Mirkarimi**

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/8/07, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

070602 **[High Speed Rail]** **Supervisors Ammiano,**

Jew

Resolution in support of a High Speed Rail Line between San Francisco and Los Angeles.

5/8/07, ADOPTED.

070619 [Grant to undertake pandemic influenza planning and outreach] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a new grant in the amount of $299,750 from the Metta Fund to undertake pandemic influenza planning and outreach projects, which includes a new contract with Public Health Foundation Enterprises, for the period of July 1, 2007 through June 30, 2008.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070622 [Urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Noe and Day Streets] Supervisor Dufty

Resolution urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Noe and Day Streets.

5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070624 [Apply for, Accept and Expend State Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to apply for, accept and expend grant funds, available only for public agencies in California, in the amount of $361,553 from the California Air Resources Board (CARB) for the purpose of purchasing low-polluting construction equipment and retrofitting existing construction equipment with pollution control devices.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070625 [Resolution to Initiate the Designation of First St. John's Methodist Church, 1601 Larkin Street as a Landmark] Supervisor Peskin

Resolution initiating designation of the First St. John's Methodist Church, 1601 Larkin Street, located at the Northwest corner of Larkin Street and Clay Street, encompassing all of Lot 006 in Block 620, as a Landmark pursuant to Section 1004.1 of the San Francisco Planning Code.

5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070626 [Grant to support the Public Health Laboratory Director Training Program] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of

Health Services, Division of Communicable Disease Control for the Public Health Laboratory Director Training Program, in the amount of $300,655, for the period of April 1, 2007 through March 31, 2009.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070629 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]** **Mayor, Supervisor Ammiano**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,550,932 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA) - for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2007 to June 30, 2008.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070634 **[Zoning-Extension of Planning Commission review period]** **Supervisor McGoldrick**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070635 **[Commending Scott Shaw]** **Supervisor Peskin**

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070636 **[Commending Richard Schulke]** **Supervisor Peskin**

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070637 **[Public Works Week - May 20 through May 26, 2007]** **Supervisors Peskin, Elsbernd**

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070638** **[Commending Sherri Franklin]** Supervisors Peskin, Elsbernd

Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070639** **[School Patrol Day - May 17, 2007]** Supervisors Peskin, Elsbernd

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070640** **[Black Cat Caf, Plaque for 710 Montgomery Street]** Supervisors Peskin, Elsbernd

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Caf,.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070641** **[Gift to City of travel from Chamber of Commerce for 2007 CityTrip]** Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070642** **[Urging swift passage of Assembly Bill 102]** Supervisor Ammiano

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070645** **[Proclaiming May 16, 2007 as Livestrong Day]** Supervisors Mirkarimi, Elsbernd

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

070603 [Juvenile Hall overcrowding] Supervisor Mirkarimi

Hearing before the Public Safety Committee of the Board of Supervisors to discuss conditions and issues of overcrowding at Juvenile Hall.

5/8/07, RECEIVED AND ASSIGNED to Public Safety Committee.

070604 [PUC's proposed Tiered Rate Structure for water rates] Supervisor Alioto-Pier

Hearing on the costs and benefits of the PUC's proposed Tiered Rate Structure for water rates, including the environmental benefits, the cost to consumers, the types of residences to which the Tiered Rate Structure will be applied, and the impact on families living in single-family residences relative to families living in other building types.

5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070605 [Taxi gate and meter increases related to the financing of a Health Care Plan for Taxi Drivers] Supervisor Ammiano

Hearing on Taxi gate and meter increases related to the financing of a Health Care Plan for Taxi Drivers.

5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070613 [SOMA Community Stabilization Fund] Supervisor Daly

Hearing on the progress of the SOMA Community Stabilization Fund.

5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. Tentatively scheduled for the Budget and Finance Committee meeting on May 23, 2007.

070614 [Budget for FY 2007-2008] Supervisor Daly

Hearing to consider the Budget for FY 2007-2008.

5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070615 [Findings and recommendations of the Utility Undergrounding Task Force] Supervisor Dufty

Hearing to consider the findings and recommendations of the Utility Undergrounding Task Force convened by Supervisor Bevan Dufty. The hearing will examine potential options to increase the oversight and breadth of the City's Undergrounding Program through the use of a Special Utility Fee.

5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070616 [Pine Lake Meadow] Supervisor Elsbernd

Hearing to discuss Pine Lake Meadow's recent renovation and the plan for

parking measures during the Stern Grove Summer Festival.

5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## Motions

**070618 [Job-Share Program for Legislative Aides]** Supervisor Alioto-Pier

Motion approving a job-share program for the Board of Supervisors' legislative aides and directing the Clerk of the Board to take the necessary steps to implement the job-share program.

5/8/07, RECEIVED AND ASSIGNED to Rules Committee.

**070620 [Calling File No. 070526 from the Budget and Finance Committee]** Supervisor Dufty

Motion to call File No. #070526 - (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

# PROPOSED ORDINANCES

**070558 [Settlement of Lawsuit - A. Ruiz Construction & Associates, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against A. Ruiz Construction & Associates, Inc. for $200,000; the lawsuit was filed on January 28, 2005 in San Francisco Superior Court, Case No. 438-235; entitled City and County of San Francisco, et al. v. A. Ruiz Construction & Associates, et al. (City Attorney)

4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

**070559 [Settlement of Lawsuit - Proven Management, Inc.]**

Ordinance authorizing settlement of the lawsuits filed by: (1) the City and County of San Francisco ("the "City") against Proven Management, Inc. ("Proven") on August 01, 2005, in San Francisco Superior Court Case No. CGC 05-443632, entitled, City and County of San Francisco et. al. v. Proven Management, Inc. et. al., and (2) Proven against the City on December 15, 2005, in Tuolumne County Superior Court Case No. 51778, entitled, Proven Management, Inc. v. City and County of San Francisco et. al., with (a) Proven paying the City: $250,000 in damages; reimbursing the City up to $450,000 to administer corrective work; and Proven replacing valve assemblies and correcting numerous items of work on the Baden Pumps Station Project; and completing its contract; and (b) the City increasing Proven's contract amount on the Priest Bypass Project by $700,000 and releasing all contract balances. (City Attorney)

4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

070606 [Appropriating $213,000 of Juvenile Probation Title IV-E Funds for Overtime Related to Increased Juvenile Hall Population to the Juvenile Probation Department for Fiscal Year 2006-2007]

Ordinance appropriating $213,000 of Juvenile Probation Title IV-E (Foster Care) funds for additional overtime costs related to an increase in the Juvenile Hall population to the Juvenile Probation Department for Fiscal Year 2006-2007. (Juvenile Probation Department)

(Fiscal Impact.)

5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## PROPOSED RESOLUTIONS

070564 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Eucalyptus Drive, south side, from the Junipero Serra Boulevard Service Road to 33 feet westerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Vicente Street, south side, from Portola Drive to 49 feet westerly; and,
Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court.
(Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070569 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
18th Street at Illinois Street, stopping the stem of this T-intersection;
Piedmont Street at Masonic Avenue, stopping Piedmont Street, making this T-intersection an All-Way STOP;
Noriega and 21st Avenue, stopping Noriega Street, making this intersection an All-Way STOP;
Detroit Street and Staples Avenue, stopping Detroit Street, making this intersection an All-Way STOP; and,
Lisbon Street and Silver Avenue, making this T-intersection an All-Way STOP.

STOP SIGNS - RESCIND

Craut Street and Silver Avenue intersection (rescind the 3-Way Stop);
Craut Street and Maynard Street (rescind the southbound Craut Street STOP); and,
Craut Street and Ney Street (rescind the southbound Ney Street STOP).
(Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070570 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (NORTHBOUND) - ESTABLISH
Craut Street, between Silver Avenue and Trumbull Street (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

# PROPOSED MOTIONS

## Requests Granted

*From: Supervisor Mirkarimi*
*To: Director, Recreation and Park Department*

*Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of removing graffiti at Golden Gate and Steiner Mini Park.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti or repairing signs at the following locations:*

*Yellow Diamond at south median of Webster and Bush (graffiti removal)*
*No Trucks sign at the northeast corner of Scott and Bush (graffiti removal)*
*Residential Permit Parking sign twisted back near 2454 California (repair)*
*Residential Permit Parking sign falling at 2685 California (repair)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status or removing graffiti from mailboxes and garbage cans at the following locations:*

*Southwest corner of Bush and Divisadero (mailbox)*
*Northwest corner of Sutter and Steiner (mailbox)*
*Northwest corner of Sutter and Steiner (garbage can)*
*Northeast corner of Haight and Buchanan (garbage can)*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from light switch boxes and phone switch boxes at the following locations:*

*Light Switch Box*

*Northeast corner of Divisadero and Golden Gate*
*Northwest corner of Pine and Fillmore*
*Northeast corner of Sutter and Buchanan*
*Phone Switch Box*

*Northeast corner of Bush and Buchanan*
*Northeast corner of Bush and Divisadero*
*Northwest corner of Bush and Scott*
*Northeast corner of Fillmore and Divisadero*
*Northeast corner of Webster and Bush*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status or removing graffiti at the following property locations:*

*1971 Fillmore*
*1853 Divisadero*
*2106 Bush*
*2142 Bush*
*2226 Bush (back side of property on Wilmont)*
*Property between 19 ½ Wilmont and 51 Wilmont is heavily graffitied but has no address. It is a brown concrete building.*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/inquiring: Requesting the Department of Public Works to report on the status of repairing sidewalks at the following location: Laguna Street between Geary and Ellis.*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

*Northwest corner of Sutter and Scott (Examiner)*
*Southwest corner of Geary and Divisadero (Guardian and Yahoo Jobs)*
*In front of 1600 Divisadero (SF Weekly and SF Daily)*
*Northwest corner of Eddy and Divisadero (Onion)*
*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs on both sides of the street (unless otherwise noted), at the following locations:*

*Octavia between California and Pine*
*California between Octavia and Gough*
*Pine between Laguna and Masonic*
*Bush between Divisadero and Gough*
*Wilmont between Fillmore and Steiner*
*Webster between Bush and Pine*
*Steiner between Laguna and Buchanan*
*Steiner between Haight and Oak*
*Sutter between Pierce and Divisadero*
*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:*

*Southwest corner of Pine and Pierce*
*Southeast corner of Haight and Buchanan*
*Southwest corner of Steiner and Oak*
*From: Supervisors Daly and Mirkarimi*
*To: Director, Arts Commission*

*Requesting/Inquiring: Requesting a summary of Arts Commission Allocations from FY 2006-2007 Budget Enhancements. Last year the Board of Supervisors approved $1,000,000 to fulfill Art Task Force Recommendations proposals and another $40,000 for the African American Arts and Culture Center. Please provide an accounting for how these funds were allocated. How much went out to community based arts programs and how much was allocated within the Arts Commission budget?*

*From: Supervisor Ammiano*
*To: Board of Education*
*To: Superintendent, SFUSD*

*Requesting/Inquiring: Inquiring as to why a staff consolidation is being considered at Hilltop High School given the unique needs of the student body.*

## In Memoriams

*Reverend Hamilton T. Boswell - Entire Board*

*Edward Boyd - Supervisor Dufty*

*Edmund Leland Allison - Supervisor Daly*

## ADJOURNMENT

*There being no further business the Board adjourned at the hour of 4:35 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on June 5, 2007.*

**Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4188.

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City and County of San Francisco
Board of Supervisors

May 15, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

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# MEETING MINUTES

## Tuesday, May 15, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

## Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*
*JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

**Members Present:** *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

**Members Excused:** *None.*

**Members Absent:** *None.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum.*

## APPROVAL OF MEETING MINUTES

**Supervisor Ammiano, seconded by Supervisor Jew, moved to approve the Board Meeting Minutes of April 17, 2007. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

070458 **[Appropriating $35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]** **Supervisor Dufty**

Ordinance appropriating $35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

**Enacted Number:** 117-07

**FINALLY PASSED**

070325 **[Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]** **Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

**Enacted Number:** 120-07

**FINALLY PASSED**

## Recommendations of the Rules Committee

**070482** **[Settlement of Lawsuit - Carl Montgomery]**

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**070509** **[Settlement of Government Claim - San Francisco Forty Niners, Ltd.]**

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

**PASSED, ON FIRST READING**

**070485** **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Catherine Liddell and William Riggs, terms ending March 28, 2008, and Pi Ra, term ending March 28, 2009, to the Pedestrian Safety Advisory Committee.

Catherine Liddell, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2008. Pi Ra, succeeding Anna Zacher, term expired, seat 2, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2009. William Riggs, succeeding Brian Canevari, resigned, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

Enacted Number: 253-07

**ADOPTED**

**070567** **[Appointment - Commission of Animal Control and Welfare]**

Resolution appointing Philip Gerrie, Dr. Pam Hemphill, Sally Stephens, and Andrea Brooks, terms ending April 30, 2009, to the Commission of Animal Control and Welfare.

Philip Gerrie, succeeding Gerald Yeager, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009. Dr. Pam Hemphill, succeeding William Hamilton, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009. Sally Stephens, succeeding Sherri Franklin, term

expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009. Andrea Brooks, succeeding Richard Schulke, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Enacted Number: 254-07

ADOPTED

070568 [Appointment - Children and Families First Commission]

Resolution appointing Nancy Lim-Yee, Suzanne Giraudo, and Dr. Shannon Thyne, terms ending April 29, 2011, to the Children and Families First Commission; residency requirement waived.

Nancy Lim-Yee (residency requirement waived), succeeding Raymond Weisberg, term expired, seat 6, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011. Suzanne Giraudo, succeeding Cheryl Polk, term expired, seat 7, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011. Dr. Shannon Thyne, succeeding Lucy Crain, term expired, seat 9, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year

Enacted Number: 255-07
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# REGULAR AGENDA

# UNFINISHED BUSINESS

## Recommendation of the Budget and Finance Committee

070451 [Public Employment - Department of Economic and Workforce Development] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

Enacted Number: 121-07
FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

070456 [Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology] Supervisors Dufty, Ammiano, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 position (.125 FTE) in the Department of Public Health (DPH) - AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of $373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070346 [Use of Rincon Hill In Lieu Fees] Supervisor Daly

Resolution approving a plan submitted by the Mayor's Office of Housing for the use of in lieu fee payments imposed on residential development in the Rincon Hill Area and approving the expenditure of those funds pursuant to Section 827(b)(5)(E) of the Planning Code.

(Fiscal Impact.)

Enacted 270-07
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070385 [Approval of an historical property contract for 1080 Haight Street ("John C. Spencer House")] Supervisors Peskin, Mirkarimi

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Fellmore Management LLC, the owner of 1080 Haight Street ("John C. Spencer House"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

Enacted 266-07
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070393 [Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357]

Resolution authorizing the sale of vacant land, located at 849 Cesar Chavez Street, under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Enacted 267-07
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070503 [Issuance and Sale of Tax-Exempt Bonds - Pacific Institute] Supervisor Mirkarimi

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

Enacted 269-07
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070543 [Multifamily Housing Revenue Bonds - 275 10th Street Supportive Housing] Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for 275 10th Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted 252-07
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070455 [Public Employment and Accept-Expend Grant - Improving Primary Care] Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) - Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of $241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070457 [Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services] Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health - Tom Waddell Health Center (DPH - TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of $1,841,000 from Tenderloin Health to participate in a project to

expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070394 **[Agreement to Purchase 4-8 Guy Place]**

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of $1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

Enacted Number: 251-07

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendation of the Land Use and Economic Development Committee

070544 **[Endorsing a Conceptual Framework for the Redevelopment of Candlestick Point and the Hunters Point Shipyard, and Authorizing Environmental Review and Planning]** Supervisor Maxwell

Resolution endorsing a Conceptual Framework for the creation of a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the art stadium for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and public benefits for the Bayview Hunters Point community as soon as possible; making a determination that the proposed mixed-use redevelopment project as described in the Conceptual Framework is feasible for purposes of commencing environmental review; and urging City staff and the Redevelopment Agency to proceed with environmental review and planning work, including significant community review and input, in conjunction with the Lennar Corporation, for the proposed redevelopment project.

Enacted Number: 264-07

**ADOPTED by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew

## Recommendations of the Rules Committee

070082 [Pedestrian Safety Advisory Committee - Membership] Supervisor Jew

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061700 [Establishing the Peak Oil Awareness Task Force] Supervisor Mirkarimi

Resolution establishing the Peak Oil Preparedness Task Force in order to coordinate the assessment of the City of San Francisco's vulnerability to energy price shocks and to determine appropriate measures to mitigate municipal vulnerability, and to draft a comprehensive response plan for recommendation to the Board of Supervisors.

Enacted Number: 268-07

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## CALLED FROM THE BUDGET & FINANCE COMMITTEE

070526 [Public Employment - Administrative Services (ADM)] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM) staffing by decreasing total staffing by 1.00 FTE. (Mayor)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Peskin welcomed and introduced Congressman Martinez of Honduras.*

*Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to students from Convent of the Sacred Heart and Stuart Hall who participated in the Heart to Heart Backpack Drive Program.*

*Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to Deputy Sheriff Doug Novak.*

# COMMITTEE REPORTS

070538 **[Public Employment - Human Services Agency and Department of Public Health]** Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) and the Department of Public Health (DPH) staffing by increasing total staffing by 9.00 positions (0.36 FTE).

(Fiscal Impact.)

*Continued to June 5, 2007.*

**Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070540 **[Appropriating $19,719,628, for Children, Senior and Disabled Programs for 2006-2007; and Deappropriate $15,830,000 General Fund and Appropriate $15,830,000 Rainy Day Reserve]** Supervisor Daly

Ordinance appropriating total sources of $19,719,628, including $17,646,834 of Unappropriated General Fund Balance, $1,930,000 of Unappropriated Children's Fund Balance, $125,000 of Food Stamps Employment and Training Funds and $17,794 of SB 90 State Mandated Costs Fund; and appropriating total uses of $19,719,628, including $6,240,000 to the Department of Children, Youth and Their Families, $7,280,628 to the Human Services Agency, $705,000 to the Department of Public Health, $350,000 to the Mayor's Office of Disability, $1,900,000 to the Mayor's Office of Community Development, $1,244,000 to the Mayor's Office of Housing and $2,000,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007, and Amending Ordinance _____, File Number 070407, to Deappropriate $15,830,000 of General Fund Balance and Appropriate $15,830,000 of Rainy Day Reserve--Capital and One-Time Spending. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

*Continued to June 5, 2007.*

**Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will*

*be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Maura Kopp; expressed concern with issues relating to the PUC rate structure*

*Denise LaPoint; expressed concern with issues relating to the PUC rate structure*

*David Cohen; expressed concern with issues relating to the medical cannabis facilities*

*Marc Lobca; expressed concern with issues relating to medical cannabis*

*Eugene Gordon Jr.; expressed concern with various issues*

*Male speaker; expressed concern with issues relating to affordable housing*

*Peter Warfield; expressed concern with issues relating to the library*

*John Di Donna; expressed concern with various issues*

*Male speaker; expressed concern with issues relating to affordable housing*

*Female speaker; expressed concern with issues relating to various issues*

*Rev. Webster; expressed concern with issues related to medical cannabis*

*Beth Johnson; expressed concern with issues related to medical cannabis*

*Ed Row; expressed concern with issues related to medical cannabis*

*Jean Rea; expressed concern with issues relating to parrot health*

*Kathy Smith; expressed concern with issues relating to various issues*

*Les Turner; expressed concern with issues relating to VA services*

*Male speaker; expressed concern with issues relating to the stables at Golden Gate Park*

*Denise Dory; expressed concern with issues relating to medical cannabis*

*John Flood; expressed concern with issues relating to OCC appeals*

*John Martinelli; expressed concern with issues relating to medical cannabis*

*Supervisor Dufty was noted absent at 3:30 p.m.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

070634 **[Zoning-Extension of Planning Commission review period]** **Supervisor McGoldrick**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.

Enacted Number: 271-07

**ADOPTED**

070635 **[Commending Scott Shaw]** **Supervisor Peskin**

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

Enacted Number: 258-07

**ADOPTED**

070636 **[Commending Richard Schulke]** **Supervisor Peskin**

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

Enacted Number: 256-07

**ADOPTED**

070637 **[Public Works Week - May 20 through May 26, 2007]** **Supervisors Peskin, Elsbernd**

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco.

*Supervisor Elsbernd requested to be added as a co-sponsor.*

Enacted Number: 257-07

**ADOPTED**

**070638 [Commending Sherri Franklin]** Supervisors Peskin, Elsbernd

Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

*Supervisor Elsbernd requested to be added as a co-sponsor.*

Enacted Number: 259-07

**ADOPTED**

**070639 [School Patrol Day - May 17, 2007]** Supervisors Peskin, Elsbernd

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco.

*Supervisor Elsbernd requested to be added as a co-sponsor.*

Enacted Number: 260-07

**ADOPTED**

**070640 [Black Cat Caf, Plaque for 710 Montgomery Street]** Supervisors Peskin, Elsbernd

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Caf,.

*Supervisor Elsbernd requested to be added as a co-sponsor.*

Enacted Number: 261-07

**ADOPTED**

**070642 [Urging swift passage of Assembly Bill 102]** Supervisor Ammiano

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act.

Enacted Number: 265-07

**ADOPTED**

**070645 [Proclaiming May 16, 2007 as Livestrong Day]** Supervisors Mirkarimi, Elsbernd

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer.

*Supervisor Elsbernd requested to be added as a co-sponsor.*

Enacted Number: 262-07

**ADOPTED**

070610 **[Final Map - 2161 Sutter Street]**

Motion approving Final Map 3866, a 116 Unit Residential Condominium Project, located at 2161 Sutter Street, being a merger and resubdivision of Lot 5 and those lots shown on "MAP OF 2000 POST STREET, PHASE 1" recorded in Book 26 of CONDOMINIUM MAPS, page 26 in Assessors Block No. 0682 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M07-58

**APPROVED**

070612 **[Final Map - 4200 18th Street]**

Motion approving Final Map 4037, a 15 Unit Commercial Condominium Project, located at 4200 18th Street being a subdivision of Lot 052 in Assessors Block No. 2648 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M07-59

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

## Severed from For Adoption without Reference to Committee

*Supervisor Peskin requested that this item be severed so that it might be considered separately.*

070620 **[Calling File No. 070526 from the Budget and Finance Committee]** **Supervisor Dufty**

Motion to call File No. #070526 - (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007.

Enacted Number: M07-60

**APPROVED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Daly requested that this item be severed so that it might be considered separately.*

**070641** **[Gift to City of travel from Chamber of Commerce for 2007 CityTrip]** Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

*Supervisor Daly requested that this item be referred to committee.*

**REFERRED** to the Budget and Finance Committee.

*Supervisor Peskin requested that this item be severed so that it might be considered separately.*

**070611** **[Final Map - 1390 Market Street]**

Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

*Continued to May 22, 2007.*

**Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

# OFF-AGENDA LEGISLATION

## Ordinances

**070667** **[Medical Cannabis Dispensary Permits]** Supervisor Alioto-Pier

Ordinance amending Sections 3304, 3005, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require the Department of Building Inspection to review and approve Dispensaries' security measures, including lighting and alarms, (c) authorize the Mayor's Office of Disability to approve equivalents to new construction accessibility requirements where Dispensaries demonstrate a hardship and satisfy minimum standards; and (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to January 1, 2008.

5/15/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/14/2007. June 12, 2007 -

Referred to Planning Department for review. June 15, 2007 - Referred amended copy to Planning Department for review.

070669 **[Deappropriating $28,050,000 in Mayor's Office of Housing, Reappropriating to Board of Supervisors for Affordable Housing, Real Ownership Opportunities, and housing services for Fiscal Year** Supervisor Daly

Draft Ordinance deappropriating $28,050,000 in the Mayor's Office of Housing and Reappropriating $28,050,000 to the Board of Supervisors for Fiscal Year 2006-2007, including $20,000,000 for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; $5,000,000 for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Acquisition a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2006-2007 and reserving the funds pending review of expenditure plans by the Finance Committee.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070670 **[Deappropriating $5,000,000 from Mayor's Office of Housing and Reappropriating to the Board of Supervisors for a Down Payment Assistance Loan Program for Fiscal Year 2006-2007]** Supervisor Daly

Draft Ordinance deappropriating $5,000,000 from the Mayor's Office of Housing and Reappropriating $5,000,000 to the Board of Supervisors for a Down Payment Assistance Loan Program for Fiscal Year 2006-2007 and reserving the funds pending review of an expenditure plan by the Finance Committee.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070671 **[Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments]** Supervisor Ammiano

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain

Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Sections 909, 910, 911, 912, 913, and 914 to add Fringe Financial Service Use to certain Mission Bay Zoning Control Tables; amending Sectional Maps Numbers 1SU, 2SU, 6SU, 7SU, 8SU, and 10SU of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(5/23/07 - Economic Impact.)

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

070672 **[Initiative Petition Circulator Identification Requirements]** Supervisor Daly

Ordinance amending the Municipal Elections Code by adding section 335 to require initiative petition circulators to display a badge disclosing whether they are volunteer or paid circulators.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/14/2007.

070676 **[Landmark tree designation of holly at 733 27th Avenue]** Supervisor McGoldrick

Ordinance designating the holly at 733 27th Avenue (Assessor's Block 1617, Lot 003) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

5/15/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070678 **[Planning - institutional master plan review for medical institutions]** Supervisor Maxwell

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship to citywide health care needs of medical institutions' institutional master plans, revisions, and conditional use applications, to provide comments to the Planning Department, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

070679 **[Residential Rental Units: Lock Replacements by Landlord When Tenants Vacate]** Supervisor McGoldrick

Ordinance amending the Administrative Code by adding Chapter 49B to provide that landlords re-key or replace all locks on all outside doors after all tenants vacate a residential rental unit, including outside doors on the unit itself and any separate outside doors on any storage and/or garage facility provided for the exclusive use of that unit.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

070680 **[Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]** **Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/14/2007.

070681 **[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District]** **Supervisor Peskin**

Ordinance adding Planning Code Sections 731 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007. SUPPORTING DOCUMENTS: Planning Commission Resolution 17413 and Executive Summary.

070682 **[Prohibition of possession or sale of firearms or ammunition on county property]** **Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 617 to prohibit the possession or sale of firearms or ammunition on property controlled by the City and County of San Francisco.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

070683 **[Requirement that firearms located within a residence be kept in a locked container or secured with a trigger lock]** **Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

070684 **[Requiring dealers to inventory firearms every six months]** **Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

070689 [Gun Offender Registry] Mayor, Supervisors Maxwell, Mirkarimi

Ordinance amending the San Francisco Police Code by adding Section 4513 to create a local registry of gun offenders convicted in San Francisco.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

061215 [Tax Collector's reports to Board of Supervisors on Biotechnology and Clean Energy Technology Business exclusions from Payroll Expense Tax; contents are public information; certain Supervisor Maxwell

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 6.22-1 to make all contents of Tax Collector's reports to the Board of Supervisors regarding the Biotechnology Exclusion and the Clean Energy Technology Business Exclusion non-confidential public information, and by amending Sections 906.1 and 906.2 to require that, beginning with the report for the 2008 tax year, the reports include the names and addresses of individual taxpayers who have claimed the exclusions unless only one business has claimed the exclusion, and to make non-substantive, technical amendments to correct punctuation and reference errors.

8/15/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

5/15/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

5/15/07, ASSIGNED to Budget and Finance Committee.

070586 [Prohibiting outdoor use of single feed rodenticides in City Parks] Supervisor Jew

Ordinance amending Sections 300 and 305 of the Environment Code to prohibit the outdoor use of single feed rodenticides in City Parks.

5/1/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/31/2007.

5/15/07, SUBSTITUTED. Supervisor Jew submitted a substitute ordinance bearing same title.

5/15/07, ASSIGNED to City Operations and Neighborhood Services Committee. June 12, 2007 Referred to Planning (Paul Maltzer) for determination of Environmental Review

## Resolutions

070641 [Gift to City of travel from Chamber of Commerce for 2007 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/15/07, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this item be referred to committee.

070668 [Rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission on May 8, 2007] Supervisors Alioto-Pier, Jew, Elsbernd

Resolution rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission at its public meeting on May 8, 2007, and requiring the San Francisco Public Utilities Commission to adopt new water and wastewater rates that do not adversely affect persons that reside in single-family homes.

(Submitted 5/17/07 - Charter Section 2.109 requires Board of Supervisors rejection within 30 days; Fiscal Impact.)

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be calendared at the Government Audit & Oversight Committee on June 4, 2007. 6/8/07 - Received correspondence from the Public Utilities Commission informing that the PUC had rescinded its Resolution 07-0079 and 07-0080 adopting schedules of rates, fees and charges of the San Francisco Public Utilities Water and Wasterwater Enterprise for water and wastewater services.

070673 [Contract with Owner's Association for administration/management of Central Market Community Benefit District] Supervisor Daly

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Central Market Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070674 [Public Education Enrichment Fund - First Five Commission] Supervisors Daly, Dufty, Ammiano

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070675 [Public Education Enrichment Fund - Unified School District] Supervisors Daly, Dufty, Ammiano

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070685 [Issuance and sale of tax-exempt bonds - Hamlin School] Supervisors Alioto-Pier, Sandoval

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $20,000,000 to finance various capital facilities owned by The Hamlin School or an affiliate.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070686 [Evelyn and Walter Haas, Jr. Fund Supervisor Peskin

Commendation]

Resolution commending the Evelyn and Walter Haas, Jr. Fund for its extraordinary leadership gift to the Presidio.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070687 [Commending Kate Favetti, Executive Officer, Civil Service Commission] Supervisors Elsbernd, Ammiano, Dufty

Resolution commending Kate Favetti, Executive Officer, Civil Service Commission, upon her retirement after thirty six years of dedicated service.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070688 [Declaring May 23, 2007, James Loyce Jr. Day in San Francisco] Supervisors Ammiano, Dufty

Resolution in recognition and appreciation of James Loyce Jr. upon his retirement from service to the City & County of San Francisco, and declaring May 23, 2007 James Loyce Jr. day in San Francisco

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070690 [Approval of non-exclusive agreement between SF Public Utilities Commission and Earth Link, Inc.] Mayor

Resolution approving a non-exclusive agreement for a term of potentially more than ten years between the San Francisco Public Utilities Commission and EarthLink, Inc. granting EarthLink a license to use street light poles owned by the San Francisco Public Utilities Commission to install communications equipment as part of the wireless broadband Internet network EarthLink has agreed to construct to provide free wireless broadband Internet service within the City and County of San Francisco; and making General Plan and environmental findings.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests for Hearing

070660 [Possibility of creating, within the San Francisco PUC, a body similar to the California Public Utilities Commission, Division of Ratepayers Advocates] Supervisors Alioto-Pier, Jew, Elsbernd

Hearing to discuss the possibility of creating, within the San Francisco Public Utilities Commission, a body similar to the California Public Utilities Commission, Division of Ratepayers Advocates.

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070661 [Marina Farmer's Market] Supervisor Alioto-Pier

Hearing on the Marina Farmers' Market. This hearing will explore the best location for the market based testimony from the community, merchants, and nearby residents.

5/15/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

070662 [National Flood Insurance Program and FEMA's current flood mapping effort] Supervisor Elsbernd

Hearing to consider the National Flood Insurance Program and FEMA's current flood mapping effort.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070663 [Lennar's work procedures regarding health issues] Supervisor Maxwell

Hearing to consider the community concerns regarding Lennar's work procedures as they relate to dust control; and health issues arising in Hunters Point Shipyard during efforts to clean the area, specifically, the reports made regarding health issues, Department of Public Health's study of the health issues and findings, Lennar's efforts to mitigate the issues, and the City's involvement in same.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070664 [Old Mint Development Plan Status] Supervisor Peskin

Hearing on the status of the development plan for the Old Mint.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070665 [Budget implications using temporary workers, interim workers, per diem employees and other short-term or substitute employees at the Legion of Honor, the de Young Musuem and the Asian Art Supervisors Sandoval, Daly, Peskin, Ammiano, Dufty, Mirkarimi

Hearing before the Budget and Finance Committee to examine the budget implications using temporary workers, interim workers, per diem employees and other short-term or substitute employees at the Legion of Honor, the de Young Museum and the Asian Art Museum.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Motions

070666 [Motion directing the Clerk of the Board to calendar, bi-monthly, a closed session of the Board of Supervisors to discuss matters related to San Francisco's emergency preparedness and Supervisor Alioto-Pier

Motion directing the Clerk of the Board to calendar, bi-monthly, a closed session of the Board of Supervisors to discuss matters related to San Francisco's emergency preparedness and homeland security activities.

5/15/07, RECEIVED AND ASSIGNED to Rules Committee.

070691 [Closed Session - Conference with City's Labor Negotiators] Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for

the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

5/15/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 22, 2007.

## Charter Amendment

**070677** **[Charter Amendment - Requiring the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors**

**Supervisors Elsbernd, Peskin, McGoldrick, Alioto-Pier, Maxwell**

Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/14/2007.

# PROPOSED ORDINANCES

**070598** **[Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for $220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

**070599** **[Settlement of Lawsuit - Coast Marine Industrial Supply, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Coast Marine Industrial Supply, Inc. for $30,500; the lawsuit was filed on August 3, 2005 in San Francisco Superior Court, Case No. 443-691; entitled City and County of San Francisco, et al. v. Coast Marine Industrial Supply, Inc., et al. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

**070601** **[Payment of Criminal Justice Reward]**

Ordinance authorizing payment of a $25,000 reward to John Doe for

supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Dernae Wysinger and Naemon Wysinger. (Mayor)

5/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

# PROPOSED RESOLUTIONS

070600 **[Settlement of Administrative Civil Liability Complaint - San Francisco Water Quality Control Board]**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $626,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Water Quality Control Board, in the amount not to exceed $582,000, plus payment of a $44,000 penalty. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

# PROPOSED MOTIONS

## Requests Granted

*From: Supervisor Ammiano*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft Amendments to the Minimum Compensation Ordinance to include the following assumptions identified by the stakeholder:*

- *Consider Proposition F sick leave mandate;*
- *Consider paid time off or hourly cash equivalent, Current wage rate for IHSS workers is $10.95, which includes a partial in lieu payment for the 12 days of PTO;*
- *Assume the State cost share increases remains status quo;*
- *Consider what has already been budgeted for the In Home Support Services Memorandum of Understanding;*
- *Consider the $11.36 beginning July 1, 2007;*
- *Consider $11.64 beginning January 1, 2008;*
- *Yearly rate increase based on Consumer Price Index;*
- *Current budgeting for wage increase in the MCO is up to $10.50 per hour;*
- *The Federal and State reimburse cap includes the hourly wage plus the value of the Paid Time Off (PTO) along with payroll tax (11.2%) and a flat cost of $1.80/hr for mandatory fringe benefits;*
- *The Federal rate for reimbursement is 50% of costs and are capped at 2X the State minimum wage. This cap will increase as the State minimum wage increases;*
- *Current State cap is $10.50 per hour for wages and $.60 per hour for health benefits, so not all of the current costs are matched by the State.*
- *Agreement with the City and the Public Authority is for wages to go to $11.20 per hour if no increase in the State match and $11.50 per hour if the state match increases.*

*From: Supervisor Elsbernd*
*To: Director, Department of Elections*

*Requesting/Inquiring: Please provide an explanation of the Secretary of State's recent letter rejecting the ES&S request for certification, an explanation of the consequences of the Secretary's decision, and how you plan to respond.*

*From: Supervisor Dufty*
*To: Controller*

*Requesting/Inquiring: Requesting the Controller to perform a comparative review of Transgender services funded by the City, identifying the scope, gaps, and resources required, including the effect of the proposed closing of the UCSF Trans Project. The review should include an analysis of the UC Trans Project's assets including the site lease, and plans to transition clients to other existing services within the City.*

*From: Supervisor Ammiano*
*To: Director, Human Services Agency*
*To: City Attorney*

*Requesting/Inquiring: Requesting the Director of Human Services Agency and the City Attorney to respond to the following:*

*To the Director of the Human Services Agency, why have your contract officers not released pertinent information such as core sheets and evaluations related to RFP #338, in a timely and complete manner, as is required under the Sunshine ordinance.*

*To the City Attorney, does the HSA have a legal right to withhold said information (above) without citing any specific statutory authority? And, is the HSA therefore in violation of the Sunshine Ordinance?*

## In Memoriams

*Will Reno - Supervisor Sandoval*
*John Phillip Dupre - Supervisor Dufty*
*Roxanne "Penny" Kowalski - Supervisor Ammiano*
*Dr. Richard Alan Cazen - Supervisor Dufty*
*Susumu Saiki - Supervisor Mirkarimi*
*Alfred A. Aicardi - Supervisor Peskin*
*Gaetano Balistreri - Supervisor Peskin*

*Special Board of Supervisors Meeting*

*Budget and Finance Committee*

*May 16, 2007*

*At the hour of 1:35 p.m. Supervisor Jake McGoldrick was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors. A Special Board of Supervisors meeting was convened.*

*Present: Supervisors Chris Daly, Tom Ammiano, Bevan Dufty, Ross Mirkarimi, Sean Elsbernd, and Jake McGoldrick*

*070545Heard in Committee. Speakers: Supervisor McGoldrick; Judson True, MTA; Ken Bruce, Budget Analyst's Office; Christian Martin, Budget Analyst's Office; Harvey Rose, Budget Analyst; Steve Ballard, MTA; Louis Dill; Silvia Johnson.*

*Amended on page 1, line 5 and on page 1, line 23 to replace "three years" with "one year".*

*Recommended as Amended.*

*Ayes: 5 - Daly, Ammiano, Dufty, Mirkarimi, Elsbernd*

*At the hour of 1:58 p.m. Supervisor Jake McGoldrick was noted absent and there was no longer a quorum of the Board of Supervisors.*

*The Special Board of Supervisors meeting adjourned at 1:58 p.m.*

# ADJOURNMENT

*There being no further business the Board adjourned at the hour of 4:04 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on June 19, 2007.*

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in

advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
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翻譯：必須在會議前最少四十八小時提出要求
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For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
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City and County of San Francisco
Board of Supervisors

May 22, 2007

# City and County of San Francisco

*City Hall*
*1 Dr. Carlton B. Goodlett Place*
*San Francisco, CA 94102-4689*

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## MEETING MINUTES

## Tuesday, May 22, 2007
## 2:00 PM
## Legislative Chamber - Second Floor
## Regular Meeting

## Board of Supervisors

*AARON PESKIN, PRESIDENT*
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*
*JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

| | |
|---|---|
| **Members Present:** | *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.* |
| **Members Excused:** | *None.* |

**Members Absent:** *None.*

# ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.*

*There was a quorum.*

*Supervisor Alioto-Pier was noted present at 2:06 p.m.*

# APPROVAL OF MEETING MINUTES

**Supervisor McGoldrick, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of April 24, 2007. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# CONSENT AGENDA

## Recommendations of the Budget and Finance Committee

070456 **[Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology]** **Supervisors Dufty, Ammiano, Mirkarimi**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 position (.125 FTE) in the Department of Public Health (DPH) - AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of $373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

Enacted Number: 122-07

FINALLY PASSED

070457 **[Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services]** **Supervisor Dufty**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health - Tom Waddell Health Center (DPH - TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of $1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

Enacted Number: 123-07
FINALLY PASSED

## Recommendations of the City Operations and Neighborhood Services Committee

070454 [Grant to improve care for patients in San Francisco with anxiety disorders] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH - CBHS) to accept and expend a new 24-month grant in the amount of $377,345, from the Mylan Settlement Fund (State of Connecticut, et al. v. Mylan Laboratories), to provide services for patients with anxiety disorders; for the period of June 1, 2007 through May 31, 2009.

Enacted Number: 279-07
ADOPTED

070542 [Accept-Expend Gift - Department of Public Works] Supervisor Daly

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of $100,000 from the San Francisco Giants for the services of DPW to install hanging baskets along 3rd Street, plant a ceremonial magnolia tree for Arbor Day on Cesar Chavez Street, assist in the mounting of brackets and banners as it pertains to the All Star Game and provide trees for the Giants Volunteer Day.

Enacted Number: 274-07
ADOPTED

## Recommendations of the Rules Committee

070082 [Pedestrian Safety Advisory Committee - Membership] Supervisor Jew

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

Enacted Number: 127-07
FINALLY PASSED

070482 [Settlement of Lawsuit - Carl Montgomery]

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032;

entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 124-07

FINALLY PASSED

070509 [Settlement of Government Claim - San Francisco Forty Niners, Ltd.]

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

Enacted Number: 126-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# REGULAR AGENDA

# UNFINISHED BUSINESS

## Recommendation of the Budget and Finance Committee

070455 [Public Employment and Accept-Expend Grant - Supervisor Dufty Improving Primary Care]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) - Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of $241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

Enacted Number: 125-07

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## From the Budget and Finance Committee

070526 [Public Employment - Administrative Services Mayor (ADM)]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM)

staffing by decreasing total staffing by 1.00 FTE. (Mayor)

Enacted Number: 119-07

**FINALLY PASSED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendation of the Land Use and Economic Development Committee

**070217** **[Zoning - Interim moratorium on installation of microcell equipment]** Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

*Continued to June 12, 2007.*

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be **CONTINUED.** The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

**070466** **[Public Works Excavation Code]** Supervisor Mirkarimi

Ordinance amending Public Works Code Sections 2.4.44 and 2.4.46 to delete the street restoration fee and amending Section 2.4.55 to require restoration of all affected lanes for the entire block when 25% or more of the block's length is excavated to extend to the time required for backfill, replacement of pavement base, and finished pavement associated with street restoration from 72 to 120 hours; and making environmental findings.

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**070488** **[Appropriating $2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]** Supervisor Elsbernd

Ordinance appropriating $2,345,549, of which $1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, $847,960 is from the Reserve for Rainy Day - One-time Spending Account, and $420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund

Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

(Fiscal Impact.) (Supervisor Daly dissented in Committee on the question of appropriating to CON1GAGFACP 096R1 Reserve for Rainy Day - One time spending of $847,960).

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval

070499 **[Public Employment - Department of Human Resources]** **Supervisor Daly**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070582 **[Public Employment - Treasurer/Tax Collector]** **Mayor**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Treasurer/Tax Collector (TTX) staffing by decreasing total staffing by 1.00 position (.04 FTE).

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070421 **[Department of Building Inspection Annual Report printing]**

Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies of its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)

(Supervisor Daly dissented in Committee.)

**Enacted Number:** 284-07

**ADOPTED by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070424 **[Lease of Real Property at 1212 Market Street]**

Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

(Fiscal Impact.)

Enacted Number: 285-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070483 [Lease of Real Property at the southwest corner of 13th Street and South Van Ness Avenue]

Resolution authorizing the lease of a parking lot, containing approximately 78,005 square feet, located at the southwest corner of 13th Street and South Van Ness Avenue. (Real Estate Department)

(Supervisors Ammiano and Mirkarimi dissented in committee.) (Fiscal Impact.)

Enacted Number: 276-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Ammiano, Mirkarimi

070506 [Lease of Real Property - 1390 Market Street] Supervisor Peskin

Resolution authorizing the exercise of an option to extend an approximate 68,783 square foot lease at 1390 Market Street for use by the City Attorney.

(Fiscal Impact.)

Enacted Number: 278-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070545 [Extension of Agreement with Serco Management Services, Inc.] Supervisor McGoldrick

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from $50,000,000 to $61,000,000.

(Fiscal Impact.)

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from $50,000,000 to $51,000,000.

(Fiscal Impact.)

**ADOPTED AS AMENDED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Recommendations of the City Operations and Neighborhood Services Committee

070467 **[Prohibiting the Feeding of Wild Birds, Including Red-Masked Parakeets]** **Supervisors Peskin, Dufty**

Ordinance amending section 486 of the Police Code to specify that the feeding of Red-Masked Parakeets is prohibited.

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070607 **[Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]** **Supervisor Jew**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in an additional section of the City on Saturday, May 5, 2007 as part of Small Business Week.

Supervisor Jew, seconded by Supervisor Elsbernd, moved that this Ordinance be **RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070367 **[City's ADA Transition Plan and Uniform Physical Access Strategy]** **Supervisors Alioto-Pier, Ammiano**

Resolution adopting the City's ADA Transition Plan and Uniform Physical Access Strategy.

*Supervisor Ammiano requested to be added as a co-sponsor.*

**Enacted Number:** 273-07

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070369 **[Supporting a study to explore small boat storage in the Marina Yacht Harbor]** **Supervisor Alioto-Pier**

Resolution supporting a study to explore small boat storage in the Marina Yacht Harbor.

**Enacted Number:** 272-07

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## SPECIAL ORDER

## Board of Supervisors Sitting as a Committee of the Whole

## Called From the City Operations and Neighborhood Services Committee

070401 [San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies] Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

*Representatives from the Association of Bay Area Governments and Planning Department staff reviewed and updated the Board on San Francisco's participation in "Focusing Our Vision".*

*The President inquired as to whether or not any member of the public wished to address the Board.*

*There were none.*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

## SPECIAL ORDER 3:30 P.M - Recognition of Commendations

*Supervisor Elsbernd welcome, introduced, and presented a Certificate of Honor to Kate Favetti, Executive Officer, Civil Service Commission, in recognition of her 36 years of service to the City and County of San Francisco.*

*Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to the Department of Public Works in recognition of National Public Works Week.*

*Supervisor Mirkarimi welcomed, introduced, and presented Certificates of Honor to members of the VIP Huckleberry House Program.*

## SPECIAL ORDER 4:00 P.M.

Supervisors Daly and Dufty Excused From Voting

**Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Daly and Dufty, at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

070560 **[Public Hearing - Appeal of Final Environmental Impact Report for Market and Octavia Neighborhood Plan]**

Hearing of persons interested in or objecting to the Planning Commission's April 5, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0347E, through its Motion No. 17406, for a proposed Market and Octavia Plan, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, adoption of Urban Design Guidelines, and amendments to the Western Addition A-2 Redevelopment Plan. The Plan area is generally located to the West of the City's Downtown area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. (Appellants: Martin Hamilton on behalf of New College of California, F. Joseph Butler on behalf of the San Francisco Preservation Consortium and Mary Miles representing the Coalition for Adequate Review.)

(Date Filed: 4/25/07; companion measure to Files 060561, 060562, 060563.)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Mary Miles, Representive for the appellant, Coalition for Adequate Review*

*John Bardis*

*Male Speaker*

*Paul Olsen*

*Continued to June 12, 2007*

**Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## (Only one of the following two motions should be approved.)

**070561** **[Affirming certification of Market and Octavia Area Plan FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan.

*Continued to June 12, 2007*

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

**070562** **[Disapproving certification of Market and Octavia Area Plan FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Market and Octavia Area Plan.

*Continued to June 12, 2007*

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

**070563** **[Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

*Continued to June 12, 2007*

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

# COMMITTEE REPORTS

**070439** **[Appointment - Citizens' General Obligation Bond Oversight Committee]**

Resolution appointing Kristin Chu, term ending November 21, 2008, to the Citizens' General Obligation Bond Oversight Committee.

Kristin Chu, succeeding John Hentz, term expired, seat 3, must be active in a community organization, for the unexpired portion of a two-year term ending November 21, 2008.

Enacted Number: 283-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070513 [Urging the California State Legislature to repeal Supervisor Ammiano Section 1569.147 of the Health and Safety Code]

Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

Enacted Number: 275-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Elsbernd assumed the Chair.*

*The President resumed the Chair shortly thereafter.*

# PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless*

*James Chaffee; expressed concern with issues relating to the SF Public Library*

*Walter; shared with the Board, in song, various city memorabila*

*Male speaker; expressed concern with various issues*

*Mark Gruber; expressed concern with issues relating to Yellow Cab leasing practices*

*Erwin Lum, Local 250A representative; expressed concern with issues relating to a proposed Charter Amendment regarding Muni*

*Barbara Brooks, Muni Operator; expressed concern with issues relating to Muni and a proposed Charter Amendment regarding Muni*

*Dave Farlow, United Taxicab Workers; expressed concern with issues related taxi leases*

*Eugene Gordon Jr.; expressed concern with various issues*

*Male speaker; expressed concern with issues relating to emissions and Muni services and supported the proposed Charter Amendment*

*Glenda Levin, Local 200; expressed concern with issues relating to Muni and a proposed Charter Amendment regarding Muni*

*Albert Gomez; expressed concern with various issues*

*Ms. Estella; expressed concern with issues relating to immigration*

*Gloria Caso; expressed concern with issues relating to immigration*

*Female speaker; expressed concern with issues relating to immigration*

*Christine Gutierez; expressed concern with issues relating to immigration*

*Sylvia Johnson; expressed concern with various issues*

*Richard Robinson; expressed concern with various issues*

## CONFERENCE WITH CITY'S LABOR NEGOTIATORS

*Supervisor Alioto-Pier was noted absent at 4:28 p.m.*

**070691 [Closed Session - Conference with City's Labor Negotiators]** Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

**Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

*CLOSED SESSION*

*The Board recessed at the hour of 4:28 p.m. to convene in closed session*

*pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 4:58 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Persons in attendance:*

*Jim Horan, Acting Director of Human Resources*

*Micki Callaghan, Deputy Director, Department of Human Resources*

*Cheryl Adams, Deputy City Attorney*

*Monique Zmuda, Deputy Controller*

*Kay Gulbengay, Interim Clerk of the Board*

*[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)*

**Supervisor Elsbernd, seconded by Supervisor Jew, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

070685 **[Issuance and sale of tax-exempt bonds - Hamlin School]** **Supervisors Alioto-Pier, Sandoval**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $20,000,000 to finance various capital facilities owned by The Hamlin School or an affiliate.

*Supervisor Sandoval requested to be added as a co-sponsor.*

**Enacted Number:** 282-07

**ADOPTED**

**070686** **[Evelyn and Walter Haas, Jr. Fund Commendation]** Supervisor Peskin

Resolution commending the Evelyn and Walter Haas, Jr. Fund for its extraordinary leadership gift to the Presidio.

**Enacted Number:** 286-07

**ADOPTED**

**070688** **[Declaring May 23, 2007, James Loyce Jr. Day in San Francisco]** Supervisors Ammiano, Dufty

Resolution in recognition and appreciation of James Loyce Jr. upon his retirement from service to the City & County of San Francisco, and declaring May 23, 2007 James Loyce Jr. day in San Francisco

*Supervisor Dufty requested to be added as a co-sponsor.*

**Enacted Number:** 280-07

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

*Supervisor Peskin requested that this matter be severed so that it might be considered separately.*

**070611** **[Final Map - 1390 Market Street]**

Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Enacted Number:** M07-61

**APPROVED by the following vote:**

Ayes: 8 - Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Daly, McGoldrick

## Severed from for Adoption without Reference to Committee

*Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.*

070687 [Commending Kate Favetti, Executive Officer, Civil Service Commission] Supervisors Elsbernd, Ammiano, Dufty

Resolution commending Kate Favetti, Executive Officer, Civil Service Commission, upon her retirement after thirty six years of dedicated service.

Enacted Number: 281-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## OFF-AGENDA LEGISLATION

## Ordinances

070715 [Unrepresented Employees] Mayor, Supervisor McGoldrick

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.

(Fiscal Impact.)

070716 [MOU, Amendment No. 1 - SEIU, Locals 535, 790 and United Healthcare Workers - West] Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, relating to certain wages, hours, and working conditions.

(Fiscal Impact.)

070717 [MOU, Amendment No. 1 - International Brotherhood of Electrical Workers, Local Union 6, AFL-CIO] Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, by amending the parties' agreement with respect to certain wages, hours, and working conditions.

(Fiscal Impact.)

070718 [MOU, Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)] Mayor

Ordinance adopting and implementing the Memorandum of Understanding

between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

070719 [MOU, Amendment No. 1 - Laborers International Union, Local No. 261] Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, by amending the parties' agreement to allocate funds related to programs for Environmental Service Workers.

(Fiscal Impact.)

070720 [MOU, Amendment No. 1 - Municipal Executives' Association, AFL-CIO] Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, AFL-CIO, relating to Management Training Funds.

070721 [MOU, San Francisco Police Officers' Association (SFPOA)] Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

070722 [MOU, SEIU, Local 790 Staff & Per Diem Nurses] Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2007 through June 30, 2010.

(Fiscal Impact.)

070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars] Supervisor McGoldrick

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

070743 [Public Employment - Airport Commission and City Planning] Mayor, Supervisor Peskin

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Airport Commission (AIR) and City Planning (CPC) staffing by decreasing total staffing by 3.00 positions (0.12 FTE).

070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi

Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of $5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

070213 [Planning - public review process for wireless telecommunications services facilities as accessory uses] Supervisor Peskin

Ordinance amending the Planning Code Section 311 and 312 to apply the public review processes for building permit applications in R and NC Districts to wireless telecommunications services facilities permitted as accessory uses under Article 2 of the Planning Code, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

## Resolutions

070723 [State contract funds for substance abuse treatment] Mayor

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2007 through June 30, 2010 in the amount of $55,825,476 and for the term of July 1, 2007 through June 30, 2008 in the amount of $18,608,492 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

070732 [2500 Block of Mission Street Business Improvement District Annual Reports to the City] Supervisor Ammiano

Resolution regarding 2500 Block of Mission Street Business Improvement District annual reports to the City: modifying the "Authority to Contract"

provision of the Resolution establishing the District (Resolution No. 539-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

**070733 [Castro/Upper Market Community Benefit District Annual Reports to the City; making assessment formulas the same for all District residential property]** Supervisor Dufty

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City, and making assessment formulas the same for all District residential property: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 582-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; providing that all residential property be assessed by the same lot size and linear frontage formula, and authorizing conforming amendments to the management plan and management contract; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

**070734 [Fisherman's Wharf Community Benefit District Annual Reports to the City]** Supervisor Peskin

Resolution regarding Fisherman's Wharf Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 540-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

**070735 [Noe Valley Community Benefit District Annual Reports to the City]** Supervisor Dufty

Resolution regarding Noe Valley Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 583-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

**070736 [North of Market/Tenderloin Community Benefit** Supervisor Daly

District Annual Reports to the City]

Resolution regarding North of Market/Tenderloin Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 584-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

070737 [Union Square Business Improvement District Annual Reports to the City] Supervisor Peskin

Resolution regarding Union Square Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution renewing the District (Resolution No. 798-03) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA independent audit to instead require a CPA independent audit upon request of the City, to acknowledge that the Mayor's Office of Economic and Workforce Development is the successor to the Mayor's Office of Public Finance and Business Affairs, and authorizing amendment of the District's written agreements (contracts) with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to California Streets and Highways Code 36650.

070741 [Issuance and Sale of Tax-Exempt Bonds - Katherine Delmar Burke School] Supervisor McGoldrick

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $17,000,000 to finance various capital facilities owned by The Katherine Delmar Burke School or an affiliate.

070742 [Traffic Regulation] Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Wednesday from May 23, 2007 through December 30, 2009.

070748 [Issuance and sale of tax-exempt bonds - St. Ignatius College Preparatory] Supervisor Elsbernd

Resolution approving the issuance of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $22,000,000 for the financing of the construction, improvement, furnishing and/or equipping of certain educational facilities at St. Ignatius College Preparatory and certain other matters relating thereto.

070749 [Condemning prosecution of medical marijuana by the Federal government] Supervisor Ammiano

Resolution condemning federal prosecution of Ed Rosenthal and acknowledging importance of safe and legal access to medical cannabis in San Francisco.

**070750** **[Celebrating the 78th birthday of Harvey Milk and honoring his memory]** Supervisors Ammiano, Dufty, Mirkarimi, Elsbernd

Resolution celebrating the 78th birthday of Harvey Milk, LGBT civil rights pioneer, former Supervisor, and legendary San Francisco leader.

**070751** **[Urging the Federal government to declare a moratorium on ICE raids]** Supervisors Ammiano, Elsbernd

Resolution urging a moratorium on ICE raids (at the very least) until the unresolved question of what to do about separated families, the trauma they are forced to endure, who should care for children left behind after their parents are deported, and who shall bear the associated costs, and until comprehensive immigration reform is agreed upon at the Federal level.

**070752** **[Urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal)]** Supervisor Maxwell

Resolution urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal) to require the Department of Social Services (DSS) to propose a new name for the Food Stamp program and to establish categorical eligibility for food stamp benefits for Medi-Cal recipients who are eligible for services funded by the Temporary Assistance for Needy Families (TANF) block grant.

**070753** **[Urging the US Congress to support 2007 Farm Bill]** Supervisor Maxwell

Resolution urging the United States Congress to support a strong Nutrition Title in the 2007 Farm Bill that will improve the Food Stamp Program, strengthen The Emergency Food Assistance Program (TEFAP), fully fund the Commodity Supplemental Food Program (CSFP), and support adequate nutrition for everyone.

**070754** **[Urging environmental analysis of water supply alternatives that will not increase diversions of freshwater from the Tuolumne River and urging active implementation of conservation and** Supervisors Maxwell, Peskin, McGoldrick, Mirkarimi, Ammiano

Resolution urging the San Francisco Planning Department and the San Francisco Public Utilities Commission to fully analyze a water supply alternative in the Programmatic Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River.

**070755** **[Urging the University of California San Francisco to reduce its energy consumption through a reduction of night lighting]** Supervisor Mirkarimi

Resolution urging the University of California San Francisco to reduce its energy consumption by 10% over the next two years, in part through a reduction of night lighting on its campuses.

## Hearings

**070712** **[Budget Analyst's update on the Management Audit of the Division of Emergency Services]** Supervisor Alioto-Pier

Hearing on the Budget Analyst's update on the Management Audit of the Division of Emergency Services.

070713 [Public safety concerns in the Tenderloin] Supervisor Daly

Hearing on public safety concerns in the Tenderloin.

070714 [Overview of SFUSD Student Nutrition Services and current infrastructure needs] Supervisor Maxwell

Hearing before the City and School District Committee on the following topics: 1) Overview of SFUSD Student Nutrition Services and current infrastructure needs; 2) One-time infrastructure investment in San Francisco Unified School District and Student Nutrition Services as a solution to increase student consumption of healthy foods; 3) Investment benefits include long-term recurring improvements to the nutrition quality and variety of school food, reduce administrative costs and burdens, and eliminate stigma associated with receiving a free meal.

## Charter Amendments

070724 [Charter Amendment - San Francisco Affordable Housing Fund] Supervisor Daly

Charter amendment (First Draft) to add Section 16.127 to appropriate funds for affordable housing programs.

070725 [Use of City Surplus Real Property for Affordable Housing] Supervisor Daly

Charter amendment (First Draft) to add Section 16.128 - Use of City Surplus Real Property for Affordable Housing.

070726 [Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of] Supervisor Daly

Charter amendment (First Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

070727 [Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality] Supervisors McGoldrick, Sandoval

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

070728 [Charter Amendment - To provide retirement benefits for police department employees who] Supervisor McGoldrick

were also airport police officers prior to December 27, 1997, as if they had been members of the

Charter amendment (First Draft) to amend Section A8.506-2 to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.

070729 [City Elections In Even-Numbered Years] Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

070730 [Charter Amendment - Renewal of Library Preservation Fund for fifteen-year term and authorization to issue debt for Library purposes secured by and/or repaid from the Fund] Supervisors Peskin, Maxwell, Jew, Elsbernd, Alioto-Pier, Mirkarimi, McGoldrick, Dufty, Ammiano

Charter amendment (First Draft) to repeal the existing Section 16.109 and to add a new Section 16.109, to renew the Library Preservation Fund for fifteen years and to authorize the City and County of San Francisco to issue debt for Library purposes secured by and/or repaid from the Fund.

070731 [Charter Amendment - Emissions Reduction and Transit Reform] Supervisor Peskin

Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

070631 [Settlement of Lawsuit - U.S. Airways, Inc.]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for the settlement of the unlitigated bankruptcy claim between the Airport and the execution of future Airport leases with US Airways, Inc. with regard to In re: US Airways, Inc. et al., Debtors, Case No. 04-12819 SSM, United States Bankruptcy Court for the District of Virginia; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal) (City Attorney)

070632 [Landmark Tree Designation of New Zealand Christmas Tree at 1221 Stanyan Street] Supervisor Mirkarimi

Ordinance designating the New Zealand Christmas tree in front of 1221 Stanyan Street (Assessor's Block 2664, Lot 008) as a landmark street tree pursuant to Public Works Code Section 810, making findings supporting the

designation, and requesting official acts in furtherance of the landmark tree designation.

*Supervisor Mirkarimi requested to be added as the sponsor.*

070647 **[Settlement of Lawsuit - Teri Rouse]**

Ordinance authorizing settlement of the lawsuit filed by Teri Rouse against the City and County of San Francisco for $30,000; the lawsuit was filed on November 10, 2005 in San Francisco Superior Court, Case No. 446-497; entitled Teri Rouse, et al., v. City and County of San Francisco, et al. (City Attorney)

070657 **[Repealing expired and superceded provision establishing Heavy Truck Loading Zones]**

Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1. (Municipal Transportation Agency)

070658 **[Eliminating obsolete peddler permitting program that expired in 1989]**

Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers. (Municipal Transportation Agency)

070659 **[Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue]** Supervisor Mirkarimi

Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street. (Municipal Transportation Agency)

*Supervisor Mirkarimi requested to be added as the sponsor.*

## PROPOSED ORDINANCES

# PROPOSED RESOLUTIONS

070655 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY ONTO CARTER STREET - ESTABLISH
Walbridge Street, eastbound onto Carter Street

NO TURN ON RED - RESCIND
Geneva Avenue, eastbound, at Carter Avenue and Walbridge Street

ONE-WAY STREET - ESTABLISH
Florentine Street, southbound (uphill), from Mission Street to Brunswick

Street

LEFT LANE MUST TURN LEFT - ESTABLISH
Buchanan Street, northbound, at Hermann Street (Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070656 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from 64 feet to 143 feet west of Castro Street (a 79-foot zone);
Mason Street, west side, from Jefferson Street to 40 feet southerly (removes two parking meter spaces to accommodate buses turning left onto Mason Street); and,
Geneva Avenue, south side, from Carter Street to 100 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Minnesota Street side of 1415 Indiana Street, from 2 feet to 9 feet north of the Minnesota Street driveway for 1415 Indiana Street (accommodating two unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Beachmont Drive, both sides, between Sloat Boulevard and Lagunitas Drive (unit block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Grove Street, both sides, between Buchanan and Webster Streets (700 block).

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Stanyan Street, east side, from Fulton Street to McAllister Street (legalizing existing conditions) (Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

# PROPOSED MOTIONS

## Requests Granted

***Clerk to Act - May 22, 2007***

*Board Minutes for April 24, 2007 approved.*

*Requests Granted*

*From: Supervisor Alioto-Pier*
*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation creating an Office of the Ratepayer Advocate within the San Francisco Public Utilities Commission.*

*From: Supervisor Alioto-Pier*
*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Inquiring of the Public Utilities Commission, what is the PUC's per unit cost to provide water to San Francisco?*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:*

- *Broderick between Haight and Page (multiple)*
- *Baker between Fell and Hayes (multiple)*
- *1554 Grove*
- *Intersection of Baker and Grove - North section of intersection near crosswalk*
- *Southeast section of Baker and California*
- *Intersection of Octavia and Fulton - South section of intersection near crosswalk*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations: Northeast corner of Octavia and Grove and 2725 California (both Emergency Boxes). Northwest Baker and McAllister (Fire Hydrant).*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:*

- *556 Central*
- *600 Broderick*
- *561 Fulton*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report*

*on the status of removing graffiti from mailboxes at the following locations:*

- *Northwest corner of Turk and Baker*
- *Northeast corner of Golden Gate and Baker*
- *Northeast corner of Masonic and Golden Gate*
- *Southeast corner of Masonic and Grove*
- *Southeast corner of Buchanan and Hayes*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from the following locations:*

*Light Switch Box*

- *Southeast corner of Steiner and Fell*
- *Southeast corner of Masonic and Golden Gate*
- *In front of 536 Octavia*

*Phone Switch Box*

- *Box in the middle of the 1600 block of Fulton*
- *Southeast corner of Lyon and Hayes (plus two small metal poles in front of box)*

*Curb Cut*

- *Northwest corner of McAllister and Baker*

*From: Supervisor Mirkarimi*
*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

- *Southwest corner of Central and Hayes (Chronicle)*
- *Near 555 Hayes Street (Examiner)*
- *Southwest corner of Lyon and Fulton (SF Weekly)*
- *Southwest corner of Central and Hayes (SF Weekly)*
- *Southwest corner of Hayes and Webster (Advertiser)*

*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti or repairing signs on the DPT property at the following locations:*

- *One-Way traffic sign at the intersection of Fell Street and Lyon (Panhandle side of intersection)*
- *Light signal pole at the Northwest corner of Masonic and Fulton*
- *Pedestrian Crossing Signals at all four corners of Fulton and*

*Broderick*
- *Pedestrian Crossing Signals at all four corners of Pierce and Oak*
- *STOP Sign - Northeast corner of Golden Gate and Baker*
- *STOP Sign - Southeast corner of Golden Gate and Baker*
- *STOP Sign - all four corners of Central and Golden Gate*
- *Missing "Fulton" Street identification sign at the intersection of Fulton and Central (Repair)*

*From: Supervisor Mirkarimi*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

- *Broderick between Page and Fell*
- *Golden Gate between Broderick and Divisadero*
- *Broderick between Golden Gate and Turk*
- *Central between Fulton and Turk*
- *Ashbury between Grove and Hayes*
- *Hayes between Fillmore and Buchanan*

*From: Supervisor Mirkarimi*
*To: Director, Municipal Transportation Agency*

*Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the status of removing graffiti on a MUNI identification sign at the MUNI stop at the Northwest corner of Turk and Baker.*

*From: Supervisor Mirkarimi*
*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

*Metal Poles*

- *Northwest corner of Golden Gate and Baker*
- *Northwest corner of Central and Fulton*
- *Northeast corner of Turk and Masonic*
- *Northwest corner of Masonic and Fulton*

*From: Supervisor Mirkarimi*
*To: Director, Recreation and Park Department*

*Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of removing graffiti from the walls of the Hayes Valley Playground.*

*From: Supervisor Elsbernd*
*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of improving the pedestrian crossing at the*

*intersection of Monterey & Detroit.*

*From: Supervisor Ammiano*
*To: Director, Human Services Agency*

*Requesting/Inquiring: Requesting copies of the City surveys quoted by Trent Rhorer in the May 17, 2007 San Francisco Chronicle and San Francisco Examiner articles about shelter standards. The Shelter Monitoring Committee, and myself, were unaware of any city surveys regarding satisfaction of shelter residents. I would like to review them. I would like to review these surveys prior to June 6th.*

*From: Supervisor McGoldrick*
*To: Sir Richard Branson, Virgin Atlantic Airlines*

*Requesting/Inquiring: Requesting a letter to Virgin Atlantic head Sir Richard Branson asking him to refrain from posting the giant red Air Sickness bags illegally all over San Francisco, for advertisement purposes. They are cluttering our beautiful City, and are absolutely illegal.*

## In Memoriams

*Terri White - Supervisor Ammiano*

*Dr. Tod Mikuriya - Supervisors Ammiano and Mirkarimi*

*Francettte Sneed - Supervisor Maxwell*

*Frederick Bertram Sims - Supervisor Sandoval*

*Rose Chinn - Supervisor Sandoval*

# ADJOURNMENT

*There being no further business the Board adjourned at the hour of 4:59 p.m.*

*Kay Gulbengay, Interim Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on July 10, 2007.*

**Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which

members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.
Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

**Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

**Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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